II. THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY AND ORGANIZED CRIME, REPORT OF RALPH SALERNO, CONSULTANT TO THE SELECT COMMITTEE ON ASSASSINATIONS*

CONTENTS

Paragraph

Issues addressed ---- (11)
Materials reviewed ---- (12)
Summary and excerpts of findings and conclusions by the consultant ---- (14)
I. History of Organized Crime in the United States ---- (14)
  A. Prohibition: The big boost ---- (22)
  B. St. Valentine's Day Massacre ---- (23)
  C. A most successful enterprise ---- (28)
  D. Apalachin, N.Y ---- (31)
  E. The Federal response ---- (44)
  F. State and local efforts ---- (52)
II. La Cosa Nostra: FBI File 92-6054 ---- (53)
  A. La Cosa Nostra and the Kennedy administration ---- (54)
  B. Intelligence operations ---- (56)
  C. A successful operation ---- (63)
  D. Joseph M. Valachi ---- (71)
  E. FBI report on the Commission ---- (74)
  F. La Cosa Nostra ---- (82)
  G. The Kennedy program ---- (84)
  H. The impact of the Kennedy campaign ---- (85)
    (1) On political influence ---- (87)
    (2) On gambling ---- (101)
  I. La Cosa Nostra and intelligence-gathering ---- (111)
  J. 1963: Feeling the pressure ---- (118)
  K. Attitude toward the Kennedys: Before and after ---- (154)
  L. Analysis of the evidence ---- (177)
III. Organized Crime Murders: Any Precedents? ---- (179)
  A. Attitude toward murder ---- (181)
  B. The victims ---- (184)
  C. Characteristics of organized crime murders ---- (186)
    (1) The authorizer ---- (187)
    (2) The expediter ---- (189)
    (3) Hitmen ---- (191)
    (4) Murder weapon ---- (194)
    (5) Wheelmen and the hit car ---- (195)
    (6) The crash car ---- (196)
    (7) The finger ---- (198)
    (8) Limited conspiracy ---- (199)
    (9) Method variation ---- (200)
    (10) Disposal of the body ---- (201)
  D. Three exceptions ---- (202)
    (1) Victor Riesel ---- (203)
    (2) Joseph Colombo ---- (225)
    (3) Sol Landie ---- (232)
    (4) Summary ---- (246)
IV. Conclusion: Likelihood of Involvement by Organized Crime ---- (248)
  A. The National Commission ---- (251)
    (1) Carlo Gambino ---- (252)
    (2) Thomas Lucchese ---- (256)
    (3) Vito Genovese ---- (257)
    (4) Giuseppe Profaci and Giuseppe Magliocco ---- (263)
    (5) Joseph Bonanno ---- (266)
    (6) Sam Giancana ---- (270)
    (7) Angelo Bruno ---- (273)
    (8) Joseph Zerilli ---- (276)
    (9) Raymond Patriarca ---- (279)
  B. Other major leaders and problems ---- (281)
  C. Summary ---- (286)
      An open question ---- (288)

*Materials submitted for this report were compiled by HSCA staff members G. Robert Blakey, Gary T. Cornwell, and Whitney Watriss.

Issues Addressed

(11) The committee charged its consultant on organized crime with the following tasks:

—To review the history of organized crime in the United States, detailing its nature and organization, analyzing it for indications as to whether its national syndicate as a group or any of its members had the motive to assassinate President Kennedy. Salerno was also to determine if there had been any precedent for a crime of this nature and if the method of carrying out the assassination had any parallels.

—To review the impact of the Department of Justice war on organized crime under the Kennedy administration to determine if it could have provided a motive for assassinating the President.

—To identify reasons why the national syndicate of organized crime, as a group or as individuals, might not have wanted to carry out this type of act.

Materials Reviewed

(12) The primary source of information relating both to the impact of the Justice Department's efforts and to the nature and structure of organized crime and its operations was the reports based on informants and electronic surveillance of La Cosa Nostra in the files of the FBI. While reports of this character were principally available from the FBI, they were also obtained from certain State and local law enforcement agencies, most notably the New York City Police Department. The committee's investigation marked the first time that these materials had been reviewed in connection with the Kennedy assassination. The consultant also had access to all interviews, depositions and testimony obtained by the committee. In summary, the consultant, with the assistance of the committee, reviewed:

—More than 36 volumes of the FBI's La Cosa Nostra (Mafia) file (#92–6054), covering the period January 1, 1963, to June 30, 1964, some 11 months prior to and 8 months following the assassination;

—Crime Condition Reports* of the FBI relating to Chicago, Dallas, New Orleans, Tampa, and Miami, for the same time period;

—FBI files on a number of individual members of organized criminal organizations whose names arose in the course of other committee work;

—More than 300 volumes of electronic surveillance logs and summaries, part of the criminal intelligence program in effect at that time, again for the same time period;

—Electronic surveillance summaries and intelligence bulletins of the New York City Police Department, for the same period; and

—Depositions of FBI personnel, local police and other persons with potentially useful knowledge.

(13) The sensitive nature of the materials reviewed by the consultant

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* Crime Condition Reports are assembled by FBI field offices; they provide an overview of pertinent conditions in those jurisdictions. The material is not limited to criminal matters in which the Bureau has a direct enforcement mandate.

presented a series of problems for the committee. Most of them had been obtained in a fashion that was arguably inconsistent with the fourth amendment.* The consultant's review was, therefore, isolated from the rest of the committee's investigation to avoid any taint to the evidence the committee obtained independently. In addition, the consultant had access to raw intelligence files that contained unevaluated informants' reports and electronic surveillance overhears from which informant identities were excised. The committee was acutely conscious that not everything that an informant reports or that is overheard on a bug is reliable. The materials reviewed by the consultant, moreover, contained a most disquieting record of murder, extortion, robbery, theft, bribery and corruption. They also contained allegations of gross personal immorality involving a variety of public figures. Nothing in the committee's mandate justified the publication of these data in the form in which they were reviewed by the consultant or in which they were made available to the committee for its analysis. This consultant's report, therefore, is unique among those received by the committee, and in contrast to the others, it will not, as such, be published as it was originally submitted. Instead, it is here excerpted and summarized, so that its essential information can be understood as it bears on the assassination of President Kennedy.

Summary and Excerpts of Findings and Conclusions by the Consultant

I. HISTORY OF ORGANIZED CRIME IN THE UNITED STATES

(14) Since the late 19th century, groups of organized criminals in which most members are of Italian background, in which positions and structures are described with Italian words, and where the language of use is Italian, have been among the most active and powerful in this country. While these groups have been called by various names—the Black Hand, the Mafia, the Organization, the mob, organized crime—collectively they are now most properly called La Cosa Nostra.**

(15) Their origins can be traced back to southern Italy, where in certain areas, particularly Sicily, Calabria, and Naples, secret criminal societies had emerged centuries ago. In Sicily, such groups were known as the Mafia; in Calabria, the Honored Society; and in Naples, the Camora. While distinct from each other, the groups were similar in makeup, rules, and tactics.

(16) Members of these groups were among the many immigrants to the United States, and they continued their associations in their new homeland. Initially, they victimized their countrymen, and they were largely ignored by law enforcement agencies and the public. Occasion-

*The history of the Department of Justice's position on the lawfulness of the use of electronic surveillance is summarized in "Hearing Before the National Commission for the Review of Federal and State Laws Relating to Wiretapping and Electronic Surveillance," vol. 1, pp. 1637–1646 (1976).

**Recently, people of Italian background have expressed concern that they are unfairly assumed to be part of these groups. Because the groups emphasize their Italian background to such an extent, it is impossible to discuss them without using the term "Italian." This should not be construed to mean that all persons of Italian origin are involved with organized crime.

ally, there were references to a criminal society called the Black Hand or the Mafia. This latter term was, at that time, incorrect except with respect to those criminals from Sicily. There was little unity among the groups; most immigrants first thought of themselves as Sicilians, Neapolitans, Piedmontese, or other subnationalities, reflective of Italy's short history as a unified nation.

(17) In general, these groups concentrated on extortion, bootlegging, protection rackets, and a category of crimes called by some victimless—gambling, prostitution, narcotics, and loansharking.* These latter are crimes for which there is a large public demand and allegedly no victim, since participation is "voluntary." Traditionally, law enforcement agencies have overlooked many of these activities since there was little public support for prosecution. In time, particularly after the 1930's, other offenses were added to organized crime's list of activities—white-collar crimes, labor racketeering, hijacking, political corruption, and the takeover of legitimate businesses. Many members also went into professions, principally law and business.

(18) The structure of the groups was much as it had been in Italy—close-knit, highly disciplined, with a sophisticated hierarchical structure that protected those at the top. Members had to be approved and initiated. Loyalty was reinforced by the promise of retribution, usually brutal, for any transgressions against the "family," as the group was called. Members were sworn to secrecy in all matters.

(19) With respect to criminal activities themselves, each group usually had a number of legal fronts behind which illegal activities were carried out. Crimes were always executed by lower level members or "contractors," thus protecting the man at the top. In return for these services and strict silence, if caught, the family guaranteed legal services and support for the criminal's family.

(20) Further to insure its success, these organized crime groups engaged in systematic attempts to corrupt and bribe law enforcement officers, members of the judicial system, and political leaders. Most typically, this took the form of bribes, favors, campaign contributions, and help in getting out the vote. Where the machinery of a political party could be controlled, organized crime ran its own candidates at all levels—local to Federal.

(21) Violence was common. In organized criminal activity, violence and the fear of violence have always been critical and have been used in several ways:

—To maintain internal discipline and loyalty to the leadership;

—To limit the gathering of evidence by law enforcement officers by intimidating informers, witnesses, and victims;

—To influence the outcome of criminal justice matters by intimidating the police, prosecutors, court officers, jurors, et cetera;

—To guarantee the success of illegal operations such as gambling (debtors must pay), loansharking ("Your body is the collateral"), extortion, labor racketeering, et cetera.

Because violence was kept, for the most part, within organized crime's sphere of interest, traditionally law enforcement officers largely ignored it.

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*Lending money at excessively high rates of interest and for very short terms.

A. Prohibition: The big boost

(22) It was not until Prohibition that the Italian organized crime groups really came into the public's eye. The Prohibition era was readymade for organizations like the Italian criminal societies and provided them with a big boost. Bootlegging became an enormous industry. It was a fascinating complex, involving domestic manufacture (running the gamut from home stills and bathtub gin to sophisticated full-size clandestine breweries); a complicated, illicit distribution system; and large-scale rumrunning—champagne and brandies from France, Scotch from the British Isles, whisky from Canada, and native brews from the Caribbean. Such an industry required large numbers of people willing to break the law, a stable and specialized labor force, a tightly disciplined organization, and strong leadership. It was logical for established groups of organized criminals to step in to meet the need, and foremost among these were the Italian criminal societies. They expanded to the extent that they entered into associations with people of other ethnic backgrounds, but the core unit was still Italian. One famous criminal combination that developed in Chicago in that period included Al Capone, Jackie Guzik, and Murray Humphreys—an Italian, a Jew, and a Welshman. In New York, Owney Madden, Meyer Lansky, Ben Siegel, Frank Costello, and Charles Luciano—Irish, Jewish, and Italian gangsters—teamed up. The Italian groups, however, came to dominate the bootleg industry, amassing tremendous wealth and gaining invaluable experience in business that was put to good use after Prohibition ended.

B. St. Valentine's Day Massacre

(23) In fact, competition was intense, constant, and brutal among the groups that emerged at this time. Gang wars, killings and kidnapings of rivals were common; force was the first and last means to an end. If alcohol was the liquid which brought forth a torrent of dollars, violence often decided into whose hands those dollars would flow.

(24) The scope of the violence may be illustrated by the infamous St. Valentine's Day Massacre of February 14, 1929, in which seven persons were shot in a Chicago garage. Throughout the country, the public was outraged, even though the event had occurred in only one city. This outcry was followed by demands for action that threatened criminal profits everywhere.

(25) Almost immediately, a series of high-level criminal meetings took place. Organized crime figures came from all over. The self-destructiveness of the fighting had been recognized, as had the assistance it was providing to law enforcement. These meetings constituted the first clear effort to organize the Italian criminal groups in the United States and establish rules for peaceful coexistence. The formal structure of organized crime in the United States as it exists today is said to date from these meetings. At the time, however, very little was known outside of organized crime about what was decided and what the structure would be.

(26) The record of cooperation among the various criminal groups following these meetings is well-documented. As has been found in Federal narcotics prosecutions, defendants hail from various parts of the country and even abroad. Indeed, relative peace has persisted even in "open cities"* such as Miami, Las Vegas and Havana, where orga-

*An "open city" is a city in which any group can operate without having to obtain the permission of another group.

nized crime figures from many parts of the United States and of varied backgrounds have been able to reap their profits side-by-side. The activities of organized crime are those that demand close cooperation, discipline and stable conditions; the greatest sign of successful cooperation is the wealth amassed and the difficulty of achieving successful prosecutions.

(27) Cooperation was not achieved without some opposition, specifically from some of the older Italian criminal leaders, deeply rooted in Old World beliefs and attitudes. Al Capone's long-running war in Chicago with the Sicilian Aiello and Gemma brothers was largely the result of their antipathy to his Neapolitan origin. The Castellamarese War was based, in part, on Sicilian feuds, which had begun long before in the old country. There is even an American version of the myth of the Sicilian Vespers.* The "Old Moustaches," the name for Old World Italian criminal leaders then heading organizations in the United States, were said to have been murdered almost simultaneously in many parts of the country over a 48-hour period. The dates are usually given as September 10–12, 1931, the number murdered between 40 and 60.

C. A most successful enterprise

(28) Up to the 1960's the Italian groups of organized crime were in an enviable position. They had an organization that few believed existed and about which little was known. Its leaders—and hence the organization itself—were protected by low-level members who actually performed the criminal acts, many of which Federal and other agencies considered to be beyond their purview or legislative mandate. At best, organized crime was assigned a low priority at State and local levels of enforcement, and even this was easily nullified by corruption and politics. At the Federal level, even where there was concern, effective action was hampered by inadequate enabling legislation.

(29) Further, organized crime concentrated on victimless crimes, which involved activities which the public demanded. There was little incentive for law enforcement officers to uphold the laws. Many citizens argued that scarce resources should not be wasted on investigations and prosecutions of such crimes, ignoring the wider implications of these activities.

(30) The only major national investigation to be conducted during the period from the end of prohibition until the late 1950's was that of the Senate Select Committee to Investigate Organized Crime in Interstate Commerce, chaired by Senator Estes Kefauver. The committee held hearings in major cities across the country. It built up a substantial body of knowledge that indicated that there was a national and highly successful syndicate known as the Mafia, involved in a wide range of criminal activities throughout the United States and abroad. Violence was key to its success, as was corruption, and it was completely ruthless. As a result of the committee's findings, Congress passed some gambling legislation, similar investigations were precipitated at the State and local levels, and in 1954, the Federal Government

*The Sicilian Vespers is the name given to an uprising against Charles I and the French occupation army in Sicily in 1282. The signal for the uprising is said to have been the church bells signaling the evening prayers called Vespers.

took further action by setting up the Organized Crime and Racketeering Section in the Department of Justice. Its main function was to coordinate the effort against organized crime, but it found little cooperation from other agencies.

D. Apalachin, N.Y.

(31) It was in 1957 that organized crime once again came into national attention. On November 14, a significant meeting took place outside the village of Apalachin, N.Y. The aftermath was perhaps not what the participants had anticipated, for not only was the cloak of secrecy partially pulled aside, but the event ultimately led to the greatest campaign to date against organized crime.

(32) On that day, Sgt. Edgar Crosswell of the New York State Police noted that a large number of people were converging on the estate of Joseph Barbera, Sr., many from far away. Crosswell had long been interested in Barbera, at the time the distributor for a major soda bottling company. Barbera had come from northern Pennsylvania, where he had a long police record that included two arrests for homicide (he was not convicted of either).

(33) Because the meeting was on private property, no direct police action could be taken. Crosswell himself watched the entrance from nearby. A tradesman from the village, while making a delivery, noticed Crosswell and alerted those at the gathering.

(34) Many of Barbera's guests elected to depart. Some did so by car and were detained, once on public roads, for the purpose of identification. Others who fled onto adjoining posted acreage were picked up for possible trespass. Most of those who remained on Barbera's estate could not be identified.

(35) In all, 63 people were detained and identified. Local hotel records, auto rental contracts and one report of a motor vehicle accident provided investigators with the names of still others. The evidence showed that they had come from New England, New York, New Jersey, Pennsylvania, Florida, Missouri, Texas, Colorado, Ohio, Illinois, and northern and southern California. (See fig. 1.)* They included many of the leading organized crime figures, such as Santos Trafficante, Vito Genovese, Carmine Galante, John Ormento and Sam Giancana. Most were "known to the police" in their home jurisdictions, i.e., they had criminal records and were suspected of complicity in organized criminal groups. Many had legitimate professions as well. One attendee was a practicing attorney in the State of California, another was a prominent businessman in Buffalo, N.Y., and a member of the city council. With the exception of one of Barbera's employees, all those identified were of Italian origin.

(36) The evidence supported a conclusion that the gathering was to have been a national meeting of Italian criminals and their associates. This conclusion was corroborated and expanded by later intelligence gathered from electronic surveillance and informants that also provided some idea of the purpose and agenda of the meeting and gave an indication of the scope of organized crime's activities. The agenda contained a variety of items. First, and the most pressing item, was to

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*Figure 1 was introduced into the record as JFK F-547a in public hearings.

Apalachin Meeting, November 14, 1957

FIGURE 1

deal with several incidents of violence in New York City over the previous 6 months. These had resulted in changes in leadership. More important, however, they represented a breakdown in internal discipline. There were three key incidents. On May 2, 1957, a bullet had creased the head of Frank Costello, the leader of one of six Italian criminal organizations in New York City. While unsuccessful, the assassination attempt did bring about his early retirement.* Then, in July 1957, Frank Scalise, second-in-command of another New York City family, was assassinated at a fruit and vegetable stand he frequented. Next to be killed was Albert Anastasia, leader of the group to which Scalise had belonged. Anastasia was assassinated in October 1957 in a barbershop chair at a hotel in midtown Manhattan.

(37) Second was the need to prune the membership rolls and establish the need for greater care in the selection of new members. This need was the result of a complaint that Anastasia had been negligent and avaricious in selecting new candidates for his criminal group. He had been accused of "selling" memberships to the highest bidders, one of the reasons for his assassination.

(38) Third, in 1956, the U.S. Congress had enacted the Narcotics Control Act, effective July 1, 1957. In part, it was designed to facilitate the arrest and conviction of high-level heroin importers. Many

*Vincent Gigante was indicted and tried for this shooting, but when an eyewitness faltered in what had been a positive identification, the prosecution collapsed, and he was found not guilty.

criminals expected the statute to be a problem, and they wanted to discuss their future involvement in narcotics.[1]

(39) In fact, in the years that followed the Italian criminal organizations were to yield their dominant positions in narcotics trafficking. The older leadership of La Cosa Nostra in particular withdrew from this type of activity, though younger men continued it.

(40) Fourth were labor union matters. Many of those attending were involved in legitimate businesses. The most common in the northeast, especially in New York and Pennsylvania, was garment manufacturing. Their profits were being threatened by a nonunion enclave of manufacturing shops that had sprung up in the anthracite coal mining region of northeastern Pennsylvania, when mining declined. The wage paid the nonunion shop employees was sufficiently low to cover the costs of transportation of goods from and to the New York market and still allow considerable profit.

(41) As the Pennsylvania business grew, organized crime moved to revive the defunct coal mining union locals. The purpose was also to prevent organization by the International Ladies Garment Workers Union (ILGWU). The "company unions" negotiated "sweetheart"[2] contracts hardly to the benefit of employees.

(42) At the time of the Apalachin meeting, however, there was competition. An ILGWU organizer named Min Lurye had been vigorously attempting to sign up the workers. Her brother, who had been an organizer in New York City, had been murdered at the direction of Albert Anastasia.

(43) It is quite likely that the threat of the ILGWU to the Pennsylvania operations would have been a topic discussion by those whose businesses would be adversely affected. This likelihood was supported by a conversation of John Masiello[3] in 1963:

—Toney Vanella[4] has been in the garment area for 40 years. He used to be Joe Riccobono's partner. Joe Riccobono had the garment area when Vincent Mangano was the Family leader. [Carlo Gambino was the leader in 1963.]

—Joe Amarusso (Joe Strawberries) and Joe Riccobono were with [Louis] Lepke.

—About 10 years ago, Abe Chait (because he had Tommy Lucchese behind him) made a deal with David Dubinsky. We [the Mob] will produce [for organizing] all the nonunion shops, but we want so many [nonunion] shops for ourselves.

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[1] This concern proved prophetic. Of those attending the meeting, Vito Genovese was later sentenced to 15 years in federal prison for violating the statute; Carmine Galente similarly received a 15-year sentence; John Ormento received 40 years.

[2] A "sweetheart" contract is one that is made, in fact, to favor the employer while it purports to favor the employee.

[3] John Masiello was convicted in the early 1970's of bribing a U.S. Post Office employee in order to receive a mail trucking contract. Masiello's testimony later helped convict Congressman Frank Brasco (New York City) of accepting bribes.

[4] Tony Vanella is a member of the Gambino family, Joe Riccobono was a consigliere of the same family. Abe Chait operated Champion Trucking in the garment area. Tommy Lucchese was head of a New York family. Louis Lepke was the leader of Murder, Inc. Labor extortionist Joe Amarusso was a partner of Lepke's. David Dubinsky was the president of the ILGWU.

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Dubinsky said, "Fine."
—Thirty-three guys would be allowed to have nonunion shops.

E. The Federal response

(44) Because a number of attendees at the Apalachin meeting were directly or indirectly involved in union affairs, some were called before the Senate Select Committee on Improper Activities in the Labor or Management Fields, chaired by Senator John L. McClellan. These hearings became known as the McClellan committee hearings. Senator John F. Kennedy was a member of this committee; his brother, Robert F. Kennedy, was its chief counsel.

(45) Within days after the Apalachin meeting, the FBI decided to set up its top hoodlum program. Selected FBI field offices around the country were required to assign personnel to obtain information and intelligence on major racketeers, beginning with those who had attended the meeting, but by no means limited to them. While the data thus obtained would be used where possible for prosecutions, the program was primarily an intelligence operation to learn about the nature of organized crime.

(46) One of the most aggressive offices was in Chicago, where electronic surveillance was instituted as part of the program as early as 1959, long before organized crime became a high priority within the FBI or the Department of Justice.

(47) The FBI's Director J. Edgar Hoover, was behind the program, as evidenced by the following excerpt from a memorandum, dated October 14, 1959:

> From the Director to SAC New Orleans. Your attention is directed to New Orleans Number SAC Letter 50–H.
>
> A number of offices have been successful in utilizing unusual investigative techniques[*] especially in covering places where hoodlums usually meet. This type of coverage develops excellent information. Coverage of this type may only be obtained after painstaking investigation has been conducted to identify locations at which hoodlums meet. The possibility of utilizing unusual investigative techniques should continue to be borne in mind and the Bureau consulted if they are to be considered.

(48) In the same year, the Director ordered that information in several areas—"Political Tie-ups with Crime," "Police Efficiency," and "Political Control and Domination of Police Agencies"—be included in summary reports.

(49) The Research Unit of the Bureau was commissioned in 1958 to prepare two monographs, one on the Mafia within the United States, the other on the Mafia in Sicily.

(50) The Organized Crime and Racketeering Section of the U.S. Department of Justice, set up in 1954, had an extremely limited capability in 1958. Consequently, after Apalachin, an Attorney General's Special Group on Organized Crime was set up. Indictments were ob-

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*"Unusual investigative techniques" was a euphemism for electronic surveillance by bugging.

tained against Apalachin conferees, but after the trials and reversal of 20 convictions, the group was disbanded, and responsibility shifted back to OCR.

(51) Under provisions of the Narcotics Control Act of 1956, the Federal Bureau of Narcotics had been assembling evidence of major conspiracies. A number of successful prosecutions ensued over the next 4 years, primarily in the Southern District of New York, with some cases involving 20 or more defendants. These cases reinforced the resolve of many major organized crime figures to withdraw from the narcotics field, others to increase their vigilance and security.

F. State and local efforts

(52) Little action was taken at the State and local level, with one principal exception. In 1958, a bipartisan State Commission of Investigation was created in New York State to investigate the Apalachin meeting. Using grants of immunity to some attendees, the Commission sought answers to many questions. Several witnesses who refused to answer were found guilty of civil contempt and were put in prison for as long as 16 months before purging themselves. These penalties were the only ones meted out.

II. LA COSA NOSTRA: FBI FILE 92–6054

(53) By 1960, the FBI had accumulated substantial knowledge about Italian organized criminal groups. For example, it obtained the first evidence that these groups were nationally directed as one organization. This information came from electronic surveillance of Sam Giancana, head of the Chicago family. Giancana was heard to say that the Apalachin meeting had been a gathering of something called "The Commission." He indicated that he himself was a member, and he named others, identifiable as crime leaders from New York, Pennsylvania, Michigan and New England, who had also been at Apalachin. The FBI file noted:

> CH–T–1* advised in September 1959 of the existence of a small group of persons representing criminal groups in various sections of the United States and referred to as "The Commission."

Other early information gathered as part of the top hoodlum program was:

> N.Y.–T–12 advised in December 1959, of a rite of membership in said criminal organization.

Nevertheless, the FBI did not make organized crime a top priority until the Kennedy administration arrived in Washington.

A. La Cosa Nostra and the Kennedy administration

(54) President Kennedy's direct involvement in the effort to combat organized crime dated back, as noted earlier, to his participation in the McClellan Committee labor racketeering investigation. With the advent of his administration, organized crime investigations were

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*"T" numbers are assigned to confidential sources; CH–T–1, then, is a principal source for the Chicago Field Division of the FBI.

assigned a high priority. Kennedy had named his brother as Attorney General, and Robert Kennedy was equally interested in breaking up organized crime. His concern, too, dated back to the McClellan Committee.

(55) As a first step, Robert Kennedy dramatically expanded the number of attorneys in the Organized Crime and Racketeering Section of the Criminal Division of the Justice Department and made clear to the FBI that organized crime was to be a high priority. The category within which these investigations were carried at Justice was shown in FBI files to be A.R., or antiracketeering. He also put together a list of 40 organized crime figures who were to be targeted for investigation. This was soon followed by a second list of 40. The Attorney General quickly requested new legislation to improve the Department's ability to attack organized crime.

B. Intelligence operations

(56) A major focus of the new effort at Justice was intelligence-gathering. The top hoodlum program was expanded and became the criminal intelligence program. Records indicated the creation of file No. 92–6054 at FBI headquarters, evidence of the increased attention being paid the Mafia. Originally called "The Criminal Commission et al.," it was renamed "La Causa Nostra." Special agents were directed to obtain intelligence concerning the existence of a national criminal organization. The FBI soon began to employ widely the intelligence-gathering techniques that had long been used in domestic security and counterintelligence operations, to wit, physical surveillance, electronic surveillance and confidential informants.

(57) The FBI also began to develop a strategy that would correspond to the nature of the criminal organization it was facing. An agent was assigned at all times to each targeted crime figure, a one-on-one coverage that was a luxury beyond the resources of local police departments, even those concerned about organized crime. Special agents were to work under a coordinator who would supervise activities directed at criminals known to be associated with each other. As a national agency, the FBI was also able to coordinate intelligence gathered throughout the United States and incorporate it into a complete national picture.

(58) The earliest and perhaps greatest yields of criminal intelligence came from the Chicago and New York field offices. They had been the most aggressive in implementing the top hoodlum program. The New York Division had assigned considerable resources to various investigations related to the Gallo-Profaci gang war, which had broken out in January 1961 in New York City. This internal dispute represented the first serious breach of discipline in 30 years. The ensuing violence attracted considerable national attention.

(59) On June 21, 1961, Director J. Edgar Hoover sent SAC letter 71–34* to the field offices to provide them with up-to-date information on the "Criminal Commission et al," including new terminology that had been learned. For example, "avugat," short for the Italian word "avvocato" (attorney), was being used to designate one position in the

*SAC letters are sent by the Director of the FBI to advise supervising agents-in-charge of field offices on matters of import or to give instructions.

commission. In addition, the letter outlined what came to be known as the top echelon informant program, with these directions:

> To successfully complete our intelligence picture of the controlling forces which make organized crime operative, it is now urgently necessary to develop particularly qualified live sources within the upper echelon of the organized hoodlum element who will be capable of furnishing the quality information required.
>
> To date the best data has come from highly confidential sources in Chicago and New York and recently Newark.

(60) The SAC letter directed the field offices in Chicago, Detroit, Kansas City, Las Vegas, Los Angeles, Miami, New York, Newark, Philadelphia, Pittsburgh, and San Francisco to set up squads of special agents whose exclusive assignment was to be the development of informants. Each office was to submit five possible targets (New York was to submit 10). On November 3, 1961, additional information regarding the "subject organization" was distributed to field divisions by means of the Criminal Intelligence Digest.

(61) By January 1962, when the escalated program was about 1 year old, the Director reported in that month's criminal intelligence bulletin that successful penetration into "the innermost sanctums of the criminal deity" was being made, an action which he described as "creating an uneasy stir among professional vice lords."

(62) As noted above, the FBI's limited legal authority to address organized crime matters was expanded by what became known popularly as the travel bills, legislation that Attorney General Robert F. Kennedy had introduced into Congress. They made interstate transportation in aid of racketeering (ITAR) a Federal crime. The laws gave the Bureau authority to act in gambling, extortion, and other crimes, so long as they could show some interstate aspect. All the material in file 92-6054 (La Cosa Nostra) that had been labeled AR (antiracketeering) were now relabeled ITAR.

C. A successful operation

(63) The FBI's intelligence operation against organized crime must be characterized as a success. In a comparatively short time, "live" sources were being noted in field office reports, some identified as "members" of the criminal organization under investigation. Important crime figures in leadership positions had also become unwitting informants—as their conversations about the associations and activities of their peers were monitored by electronic surveillance "bugs" in many parts of the United States.* This information was supplemented by

*The value of electronic surveillance as an intelligence-gathering instrument is shown clearly in an August 21, 1964, memorandum from Courtney Evans, Associate Director, Special Investigative Division, to Al Belmont, Associate Director, General Investigative Division:

> Milwaukee, Madison, Springfield, Rockford, Kansas City and St. Louis are "strictly answerable to the leadership of the Chicago Family in any major policy decisions or significant problems."
>
> Balistrieri [of Milwaukee] did a favor for Joe Bonanno and this angers Sam Giancana when he learns of it, because of Bonanno's disfavor with the Commission.
>
> *We are probably in the unique position of better understanding Giancana's reaction than was Balistrieri.*
>
> The term Boss, Consiglieri, Caporegima Borgata, L.C.N., Mafia and Commission are heard in the Chicago area.

(Continued)

the results of more traditional investigations. The FBI established liaison with reliable local law enforcement officials, with whom joint operations, exchanges of intelligence, and other cooperative efforts were effected.

(64) The character of what the strengthened program learned may be easily illustrated. The FBI learned, for example, of a plan by Chicago hoodlums to kill Frank Esposito, a Chicago labor leader, during the winter season in the Miami Beach area in 1962. The information was given to the local sheriff and action taken to prevent the homicide. This intelligence had been obtained by bugging the Miami residence of Jackie Cerone, a principal in the Chicago organization.

(65) The surveillances also provided information on past killings—i.e., how Chicago killers employed "plants," how they concealed shotguns and other murder paraphernalia in special compartments built into their automobiles, and how some homicide victims were "sealed" (bricked up) in the walls of seldom used buildings. They also learned the gruesome details of a 3-day torture-murder of William "Action" Jackson, a loanshark working for them who was suspected of being an informant.*

(66) The FBI learned that, as a favor to friends in "the East" who had made the request, California members of the criminal organization had a "contract" to kill an Italian immigrant who had entered the U.S. illegally. The Bureau arrested the intended victim and sent him to prison for his immigration violations, thus saving his life.

(67) The FBI also became aware that the CIA was contacting underworld figures in connection with its plans to assassinate Premier Fidel Castro and made these known to the Attorney General in 1962.

(68) On May 29, 1962, the FBI produced a chart entitled "Chicago Criminal Organization." It listed more than 125 persons, their geographical area of operation in and around Chicago, and their activities, legal and illegal. It also noted their "political contacts," that included members of the Board of Aldermen, of the Illinois State Legislature, and of the U.S. House of Representatives.

(69) In the June 22, 1962, Criminal Intelligence Digest, the FBI ascribed to organized crime leader Meyer Lansky the statement that "organized crime is bigger than United States Steel."

(70) The information on Chicago was quite comprehensive and was the subject of an internal FBI document of the Special Investigative Division, dated December 7, 1962:

(Continued)

Our recent expansion in development of intelligence on the existence and activity of La Cosa Nostra in Wisconsin *tends to confirm that there is no adequate substitute for (ELSURS) for the development of accurate information on this underworld phenomenon.* [emphasis added]

*The coroner's report on Jackson's death was revealing of the cruelty of organized crime.

William "Action" Jackson—Coroner's Report:

Impaled on meat hook, doused with water. Cattle prod (electrical) used in rectum and pubic area.

Shot.

Limbs cut (apparently with an ice pick).

Beaten about most of the body (apparently with baseball bats).

Severe body burns, inflicted with a blowtorch.

Incineration of the penis.

—Our confidential techniques and sources in Chicago are describing the almost complete influence and control of politicians, police, and even courts in the Chicago area by the underworld.

—Giancana and his hoodlum associates stay clear of Federal violations in our jurisdiction. Our agents are contacting and interviewing these hoodlums and their associates, playing one against the other with the objectives of causing mistakes on which we can capitalize.

—We are disseminating information of local violations where we can find a trustworthy local official. We are again sending to the Attorney General a memorandum highlighting this corruption and enclose a detailed report which can be utilized in Grand Jury hearings to begin in December.

—During grand jury hearings we will endeavor to develop (1) Federal violations, (2) local violations, and failing these will explore whether Chicago judges will permit Federal grand jury to make public statement on widespread corruption in Chicago, thus driving home to the people of Chicago critical situation in that city.

D. Joseph M. Valachi

(71) In 1962, Joseph M. Valachi was a prisoner in the Federal correctional institution in Atlanta, Ga., serving concurrent terms of 15 to 20 years for narcotics violations. He had become convinced that Vito Genovese, the leader of the criminal group to which Valachi belonged, had "arranged" for his murder for being an informant. Valachi was positive this could easily be effected within the prison. At his request, he was placed in solitary confinement but, when he could not substantiate his fears, was returned to the general prison population. On June 22, 1962, using a piece of pipe from a prison construction site, Valachi beat another prisoner to death, believing him to be Joseph DiPalermo, another New Yorker, who had been delegated by Genovese to be the executioner. The deceased turned out to be Joseph Saupp, who bore a likeness to DiPalermo.

(72) While awaiting trial for this murder, Valachi communicated to the U.S. attorney in the Southern District of New York that he would be willing to "talk." In return, the Government accepted a plea of guilty to murder in the second degree.

(73) Valachi not only began to divulge his extensive knowledge of the organization to which he belonged, but also indicated he might be willing to give public testimony.

E. FBI report on the Commission

(74) Toward the end of 1962, Director Hoover asked that all information on the Italian criminal organization in the United States be summarized in a report, to be compiled by the New York field office. Responsibility was given to a New York special agent who had been "handling" Joseph Valachi since September. All field offices were to submit their information to New York.

(75) The report was issued January 4, 1963, still under the title of "The Criminal Commission Etal." It described the positions, hierarchy

An Organized Crime Family

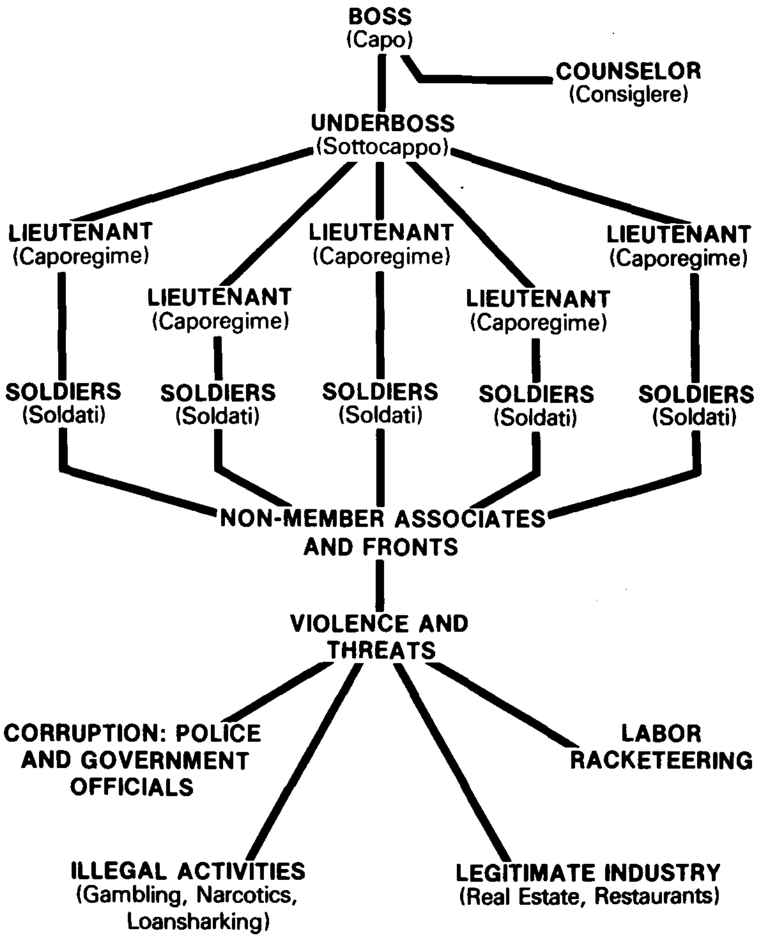

FIGURE 2

and lines of authority within La Cosa Nostra family (fig. 2).* With respect to structure and positions, the report listed:

Families: The individual criminal organizations in various areas are known as "the family." It would appear that one family is the standard in most areas with the exception of the greater metropolitan area around New York City where five

*Figure 2 was introduced into the record as JFK F-548 in public hearings.

separate families coexist. The Italian word used to describe each family is "borgata."

Sottocapo: This is the Italian word for underboss. In effect, the second in command of the unit, the family.

Consigliere: Counselor. A lateral position in the chain of command, he is usually an elder statesman advisor, available for consultation to any member of the family. De facto he is a close friend of the boss, and his advice usually serves the best interests of the boss, rather than reflecting objectivity.

Capodecina: Literally, the head of 10. He is a group leader, and this title comes from the fact that the original groups were supposed to be limited to cells of 10.

Caporegime: Head of a group. This is the term which came into being when the subunits of a family were no longer limited to 10.

Decina: A group of 10. When this was no longer a definite limit, the word for the group was changed to regime. Anglicized versions used are crew, group, et cetera.

Soldati: Soldiers. This can also be given as members and in some parts of the country as button man, or "made" man. Two members known to each other will identify a third as "amico nostri" (a friend of ours), with "amici nostri" used as the plural.

(76) Those members with the rank of caporegime or higher made up the administration of a family. Day-to-day family operations in a family were governed by the leadership (administration). The various families throughout the United States were bound to each other

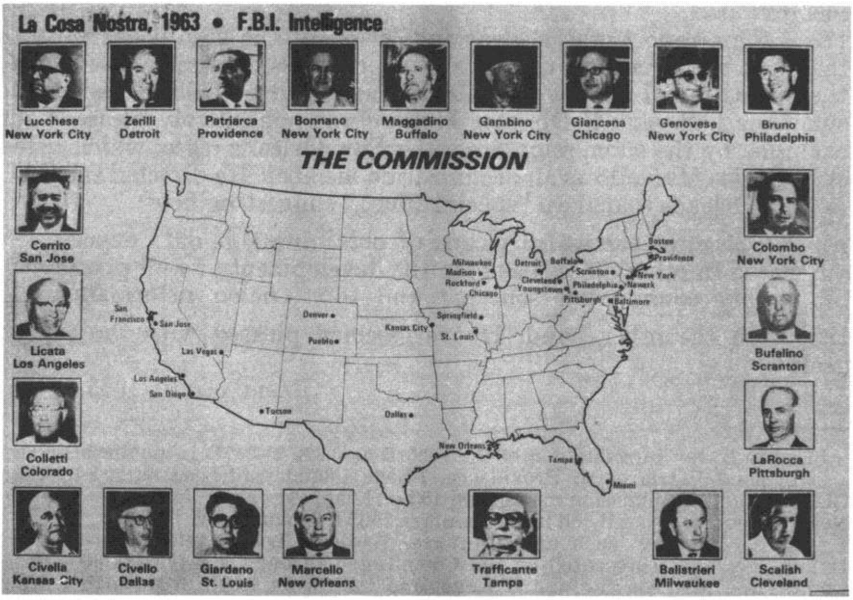

Figure 3

to form the national syndicate. The syndicate as a whole was governed by "the commission," made up of the leaders of the larger families. (See fig. 3.)[1] It was believed to vary from 9 to 12 people In 1963, they were listed as:

Vito Genovese, New York (represented by his underboss Gerardo Catena, inasmuch as Genovese was in Federal prison at the time).
Thomas Lucchese, New York.
Carlo Gambino, New York.
Joseph Bonanno, New York.
Sam Giancana, Chicago.
Joseph Zerilli, Detroit.
Stefano Magaddino, Buffalo.
Angelo Bruno, Philadelphia.

(77) A ninth position had been occupied by Joseph Profaci of New York, but was vacant at the time because of his death.[2] Generally, the commission had within its purview:

—Promulgation of policy matters which affected all families.[3]
—The resolution of disputes between families.
—Approval of the successor nominated by the administration of a family when the boss of the family died, resigned, or retired. He would not be confirmed in that position until the advice and consent of the commission had been obtained.

(78) The summary report indicated to all field offices that the Bureau was interested in any intelligence relating to "structure, eligibility, initiation rite, oath, and so forth" of the organization. It advised that there was no information that any membership record was kept or any insignia used.

(79) This report was a clear indication of the significant inroads that had been made in understanding La Cosa Nostra. Nevertheless, the quantity and quality of material submitted by field offices for the summary had varied. Director Hoover was not entirely pleased; for example, by the submission from the New Orleans office, which listed only Carlos Marcello as an organization member. He directed the SAC in New Orleans to make a "special effort," suggesting how:

> The most successful means of obtaining this data experienced in other offices has been the development of well placed highly confidential sources[4] and top echelon informants.

(80) On the other hand, Hoover seemed pleased with the report itself:

FEBRUARY 19, 1963.

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[1] Figure 3 was introduced into the record as JFK F–547B in public hearings.

[2] Raymond Patriarca of Providence, Rhode Island, had been named by Sam Giancana as a Commission member in 1959. He appears again in reports in 1965. Nevertheless, he is not listed in the January 1963 FBI summary.

[3] Smaller families, such as Milwaukee, Madison, Los Angeles, Kansas City, Dallas, etc., are represented on the Commission through a larger family—Milwaukee and Madison through Chicago, and California families through a New York Boss.

[4] This can only be read as instructions to install electronic surveillances.

To: SAC New York.
From: Director, FBI.
Subject: La Cosa Nostra.

A review reveals progress in establishing La Cosa Nostra as a de facto organization and developing leadership, membership, rules, and activities.

Your recent reports show a good grasp of the subject matter and clear understanding of nature, strength, and extent of the criminal organization.

You may wish to submit your recommendations regarding appropriate commendatory recognition for the agent or agents handling and developing this case to date.

(81) In January 1963, the Director sent a directive to the Special Agent-in-Charge of the New York Division to change the title of the investigation (and thus file 92-6054):

JANUARY 16, 1963.

The Criminal Commission Etal. Anti-Racketeering Conspiracy:

Change name of case file from above to La Causa [sic] Nostra, Anti-Racketeering Conspiracy. Use field office division in title inasmuch as some auxiliary offices have not, as yet, actually developed the complete structure of the "Family" operating in this area.

F. La Cosa Nostra

(82) Some people have suggested that the name La Cosa Nostra was fabricated by the FBI in order to avoid embarrassment to Director Hoover, who had failed to issue a public warning about "The Mafia." In fact, the FBI had gradually learned of this name through its intelligence gathering, as can be seen throughout file 92-6054 and in other documents. For example, an April 23, 1963, memorandum from the Director to the SAC, New York, said:

It is noted that information developed by San Francisco, Newark, and New York indicates a continued usage of the term Cosa Nostra as opposed to Causa Nostra in reference by members to the organization of Italian criminal element.

In view of this New York office will add term Cosa Nostra to the current caption in report to be submitted July 1, 1963.

Consequently, the special agent of the New York office, responsible for assembling the semiannual summary, captioned his July 1, 1963, report "La Cosa Nostra," but included all the variables that the FBI had come across:

Title: Changes of La Cosa Nostra, Cosa Nostra, La Causa Nostra, a Causa Nostra, causa nostra, Onorata Societa.

(83) Clearly, there had been some confusion as to the correct form of the name:

AUGUST 12, 1963.

Memorandum to Al Belmont from Courtney Evans:

Information on La Cosa Nostra first received from a live informant in September 1961, in New York as La Causa

> Nostra, meaning Our Cause. Within months there was corroboration from other sources, including members, who also gave La Causa Nostra.
>
> There appeared to be some disagreement as to translation. Finally, Bureau translators opted for Our Thing. The sources who had used Causa, did not speak Italian well.[1]

Subsequent to this time, "La Cosa Nostra" was used almost exclusively.

G. The Kennedy program

(84) The scope and success of this campaign by the Kennedy administration can be easily seen in the following statistics and charts on staffing, investigations, and prosecution:

Between 1960 (prior to the Kennedy administration) and 1963, there was:

- —A 250 percent increase in the number of attorneys—from 17 to 60;
- —More than a 900 percent increase in days in the field—from 660 to 6,172;
- —A 1,250 percent increase in days in grand jury—from 100 to 1,353;
- —A 1,700 percent increase in days in court—from 61 to 1,081.

From 1961 to 1963, there was:

- —A 500 percent increase in defendants indicted—from 121 to 615;
- —A 400 percent increase in defendants convicted—from 73 to 288.[2]

[See fig. 4 and fig 5.] [3]

H. The impact of the Kennedy campaign

(85) These statistics trace the broad outlines of the Kennedy Department of Justice effort against organized crime. The impact, as revealed through electronic surveillance reports and other sources, was disruptive to La Cosa Nostra's operations and structure. No longer was there the absence of knowledge about the nature, structure, and operations that had been one of organized crime's main reasons for success. Further, the effort was having a detrimental effect on key moneymaking activities such as gambling; it had cut deeply into the organization's ability to wield political influence; and finally, it had contributed substantially to the dissension that was threatening the cohesion so essential to organized crime. While some dissension was inevitable, many observers believe that the unrelenting pressure of law enforcement agencies, particularly Federal, showed La Cosa Nostra that it was vulnerable and forced the leadership to devote substantial resources and energies to protecting themselves, thus ignoring other responsibilities and difficulties.

(86) The following sections contain summaries and excerpts from FBI and other documents that illustrate the effect that the war on organized crime was having.

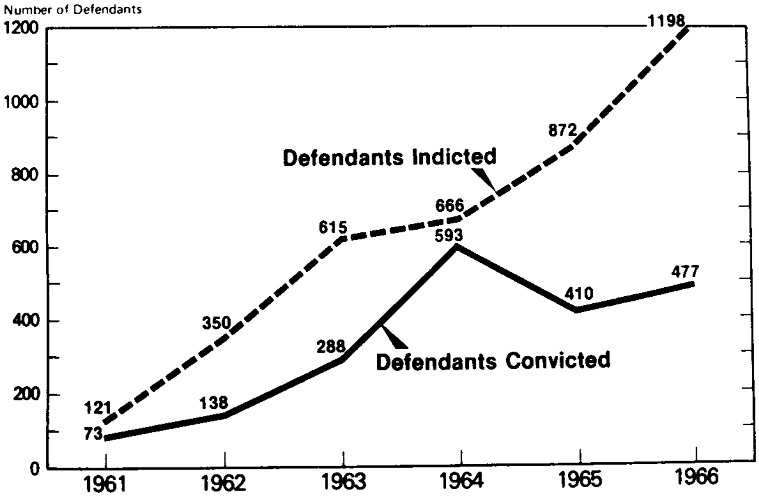
---

[1] This is a frequent problem. The consultant spent a great deal of time in various debriefings of Joseph Valachi, who was born in New York City. His Italian was very poor, spoken in the coarse which he had learned by ear as he grew up. His pronunciation and grammar were very poor.

[2] Source: U.S. Department of Justice.

[3] Figures 4 and 5 were introduced into the record as JFK F-551 and JFK F-552 in public hearing.

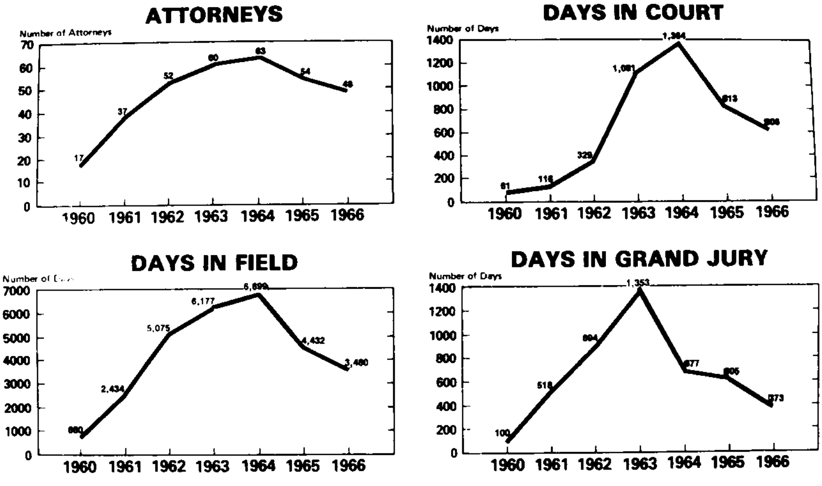
Organized Crime Indictments and Convictions



SOURCE: U.S. Department of Justice.

FIGURE 4.

Organized Crime Program



SOURCE: U.S. Department of Justice.

FIGURE 5.

(i) On political influence

(87) The FBI's intelligence program revealed clearly that La Cosa Nostra had a deep-rooted and extensive record of political activism and that its political power was important to its operations, particularly as concerned protection from the law. Much of the frustration of La Cosa Nostra figures resulted from the disruption of their long-established connections with the political establishment. The following material illustrates both the extent of political involvement and the difficulty occasioned by the new efforts.

(88) On August 24 or 31, 1960, Congressman Roland Libonati, of the 7th Illinois District, then serving on the House Judiciary Committee, visted the U.S. Penitentiary, Terre Haute, Ind., with approval of the U.S. Bureau of Prisons. [He wrote of his inspection tour in the Congressional Record of Sept. 20, 1960.] While there Libonati had asked to see Paul DeLucia and Frank Meehan, both mob leaders from Chicago and both in prison for income tax violations. DeLucia and Libonati gave "a disgusting display of affection with hugging and kissing."

Murray Humphreys, a Chicago mob figure visited Congressman Libonati in Washington, D.C. on May 23–24, 1960, and again on February 17, 1961. He obtained a contribution for a camp for the underprivileged, sponsored by Libonati, from International Vice President John T. "Sandy" O'Brien of the Teamsters for favors in Congress concerning an investigation of Teamsters Union monitors.

(89) In late 1962, Anthony Champagne, an attorney who has represented Sam Giancana talked with John D'Arco, city alderman, and Pat Marcy, ward committeeman, both of whom were Giancana's political tools. Their conversation follows:

> CHAMPAGNE. But those guys nominate the commissioner.
>
> D'ARCO. Let me tell you, Tony. McGetridge, Morgan, Murphy, and that jig. There's five of them, and we got the three.[1]
>
> MARCI. We got the three, Mann, he's a helluva guy. Mann, he's the colored man.
>
> CHAMPAGNE. You can bet that Bob Kennedy will push for Morris [2] for the spot. That's gonna happen. How's the mayor gonna stop it?
>
> MARCI. Because he can tell Bob [Kennedy] that Morris [obscene] in the election.
>
> MARCI. I heard that Wilson [3] is going to go.
>
> D'ARCO. Then Ward [4] goes. Then we got the police department back again, because there ain't a policeman we can't handle.
>
> CHAMPAGNE. You got to eliminate your Advisory Board.
>
> MARCI. As long as you get somebody from the ranks and get Morris out of there, Tony, [obscene] the advisory board.

---

[1] The three being referred to on the Police Advisory Board are: William McGetridge, who was close to and met with Murray Humphreys, Chicago gangster; Morgan Murphy; and Theophilus Mann.

[2] Joseph Morris, deputy superintendent of the Chicago police.

[3] Orlando Wilson, the superintendent of the Chicago police.

[4] Daniel Ward, The Cook County prosecutor.

(90) One of those involved in the conversation said that the chairman of the board, Franklin Kreml, was Sam Giancana's man. The conversation also made clear that D'Arco had displeased Anthony Accardo, leader emeritus of the Chicago organization, who had suggested to Sam Giancana, his successor, that D'Arco was a liability and should be replaced. Giancana concurred and set up a dinner meeting to effect this change. He met with D'Arco on November 29, 1962, in a private dining area in the Czech Lodge, a restaurant in North Riverside, Ill.

(91) Three special agents of the FBI had been planning to disrupt the meeting. They went to the restaurant, brushed past a guard, and heartily and volubly greeted D'Arco, speaking favorably of him, indicating they had learned he was in political trouble, and offering their sympathy. Giancana became infuriated. If D'Arco had any chance of remaining in political power, it was totally destroyed. The guard was later overheard speaking of these agents:

> If only there was somebody could sit down with them. What do they get out of this? Like a bunch of Boy Scouts. Hump [Murray Humphreys] says he can't do nothing.
>
> And sweet talkers? You'd think here are three of the nicest guys in Chicago. But dirty? They would burn their mothers if she crossed the street on a red light, what with their honor! I think they would [obscene]. I never seen Moe [Sam Giancana] so mad! He hates Hill, anyway.

The following day, November 30, 1962, Anthony Accardo and Paul DeLucia met with Sam Giancana to encourage him to follow through on a plan to get rid of D'Arco. Accardo suggested that D'Arco enter a hospital so that "reasons of health" could be used as an excuse for his withdrawal from the political scene. Accardo also mentioned that he suspected a live informant had been telling the FBI about Giancana's political plans.

(92) In early December, D'Arco announced to the press that he would not run for reelection due to "serious illness." Giancana's choice to take D'Arco's place as city alderman was Anthony DeTolve, related to him by marriage and then serving on the Illinois legislature. On February 6, 1963, comments by DeTolve were overheard:

> That place [the State legislature] is disgusting! I want to get out of there so bad! Wait until I make my swan song down there. What a speech I'll make! "Thank God, I'm getting out of this insane asylum! Oh! you guys pass laws like I never seen before. God help the people."
>
> They got crime commission bills, they got every [obscene] thing down there. They're probably even going to introduce wiretapping down there. That's for sure! That's coming, forget it! Nobody wants to stand up down there. [Obscenities] who call themselves lawyers. They couldn't try a case, they don't even know the rules of evidence. And this Association of Commerce, what a bunch of bull [obscene] they are. And this Porky Pig we got for a mayor!
>
> I'll show everybody a thing or two when I get to be alderman around here. I'll show this city an organization!

(93) The next day—February 7, 1963—a decision was made to replace DeTolve as Giancana's choice with Michael Fiorito. This decision involved a minor difficulty, since DeTolve had already been officially designated as his party's choice, and it was too late to change that selection on the offical ballot. Giancana decided to run Fiorito as an independent write-in candidate.
(94) A second problem was that Fiorito did not reside within the confines of the first ward, as required by law, and in fact did not even live within Chicago, but had a home in the suburb of Winnetka. These factors were overcome by his registering as a write-in candidate and using the Hotel Conrad Hilton in Chicago as place of residence.
(95) Giancana was strongly committed to this matter and essentially served personally as campaign manager. The criminal organization turned out its vote. Fiorito defied what would be political tradition in most places and won by a large majority. On February 28, 1963, Sam Giancana, pleased with the outcome of a recent election, was heard to say: "That will teach that little [obscene] Kennedy, who runs Chicago!"
(96) Giancana's pleasure, however, was short-lived. The media were extremely critical of the circumstances surrounding the election. Several investigations were initiated as to various matters, especially Fiorito's residence, the Conrad Hilton Hotel registration records, who filled them out, et cetera.
(97) In May 1963, Fiorito resigned. Giancana, who had reveled in being the "Grey Eminence" in the selection of the First Ward's alderman, was left looking foolish, especially since the position remained vacant and the district unrepresented in the city council until the next regular election the following year.
(98) On October 23, 1962, Pat Marcy, a Giancana political underling and secretary of the first ward, spoke with John D'Arco and Congressman Roland Libonati (who was also to be displaced by Giancana). Libonati briefed the other two on the possibility of war in Cuba, China, and India. He stated that he did not even know the name of the person seeking to run against him because any opposition in his district was laughable:

> Last time, you guys built me up to 98,000 votes, and the other guy to 23,000. Who ran against me last time?

Congressman Libonati also discussed Robert F. Kennedy:

> I killed six of his bills. That wiretapping bill, the intimidating informers bill——

Libonati said that John Kennedy was a "sweetheart" but that Robert F. Kennedy was "cruel." He described how he opposed a Robert Kennedy bill and then got a call from Mayor Richard Daley. Libonati says he told John Kennedy to stop Robert Kennedy from calling Daley on such matters. Libonati then took credit for a statement of Bobby's on television that his brother wanted him to stay out of politics because he was the Attorney General.
(99) In July 1963, there had been much comment by the media about the appearance in the court each day in the civil suit against the FBI of Giancana's son-in-law, Anthony Tisci. An administrative aide to

Congressman Libonati, Tisci was asked by the press whether he had taken leave from his duties, what exactly he did in his job, and how much time he actually put in.
(100) In November 1963, State Senator Pete Granata was promised $25,000 to kill a bail bond reform bill. Giancana told Pat Marcy to collect the $25,000 from the bail bondsmen and give Granata $5,000 for the "guys down there" in Springfield, Ill.

(2) *On Gambling*

(101) Traditionally, it has been supposed that gambling was a principal source of income for organized crime. A central focus of anti-organized crime efforts in the 1960's was gambling, both lawful and unlawful. As part of its intelligence-gathering, the FBI, therefore, focused on "skimming," that is, cheating operations in Las Vegas. Since early January 1963, the FBI had been using electronic surveillance there, through which it learned that most of the "skim" money was being conveyed to the Miami area, some then going to the northeast for further distribution.
(102) Las Vegas skimming was a lucrative operation. Three items that appeared early in 1963 in the La Cosa Nostra file provide some details:
(103) Ed Levinson and Ed Torres had discussed in early 1963 a plan to issue dividends to owners of record instead of only "skimming." Thus, hidden owners could get profits, and this would reduce the amount that had to be "stolen" (skimmed) each month. The skim could then be reduced to $60,000 per month* instead of $100,000. No final decision was made.
(104) The report also noted that Ed Levinson and Ed Torres were behind on delivering the skim to Florida. Levinson was to send $100,000 to "Miami."
(105) Also discussed was the sale price of the Horseshoe Club—$5 million. This price was described as "seems right, because the skim is $700,000 per year."
(106) The report also stated that a courier had made two recent trips. On one he carried $300,000 to a Swiss bank, on the other, $100,000 to the Bahamas.
(107) On January 21, 1963, $123,500 was skimmed from Las Vegas casino operations "the same amount of money as last month." Meyer Lansky, a Florida mob figure, was to get the money. His share would be $71,000; $42,500 was to go to Gerardo Catena, a mob leader in New Jersey. Lansky "distributes" in Florida and Catena "in the north" **.
(108) Catena, Richie Boiardo, Angelo "Gyp" DeCarlo, Vincent Alo, and Sam Giancana, all mob leaders, were said to own pieces of the Horseshoe, Fremont, and Sands in Las Vegas.
(109) In January 1962, Sam Giancana had a discussion with Gus Alex and Edward D. Vogel, two Chicago associates. The conversation indicated that the Chicago syndicate, insofar as its illegal gambling activities were concerned, had for all practical purposes come to an

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*This figure is apparently per casino.

**Lansky's and Catena's shares total $10,000 less than the $123,500 mentioned. Part of the skim was distributed to supervisory casino employees for their silence and cooperation. This may account for the difference.

44-105 O - 79 - 3

end, primarily because of the intense pressure placed upon the organization by the "G," meaning the Federal Government.

(110) This fact, coupled with the fact that the State and local police had been forced to move against the syndicate, had brought the Giancana group to the realization that for the time being "everyone is on his own," meaning no longer would anyone receive support from the organization, nor could anyone expect influence to be brought to bear on his behalf.

I. La Cosa Nostra and intelligence gathering

(111) La Cosa Nostra had always been protected, in part, by the inability of law enforcement agencies to obtain information about its structure, membership, and methods of operation. Since the late 1950's, however, the Federal and many State and local governments had made intelligence gathering on La Cosa Nostra a high priority. Clearly, the organization was experiencing the steady unveiling of every aspect of its existence, as revealed in the following summaries and excerpts:

(112) In June 1963, Stefano Magaddino, Buffalo, N.Y., mob leader, was heard to say:

> They know everybody's name. They know who's boss. They know who is on the commission. They know Amico Nostro (the password, Our Friend). They said to me, "What was your Caporegime doing here? What did he come to tell you?" They knew that 11–12–13 were massaged [beaten up].
>
> To Carlo Gambino they said, "This is your underboss; this is your Caporegime; this is your Consiglieri."

(113) Magaddino was also heard to recount that the pressure on Carmine Lombardozzi, a mob figure in New York City, had driven him to drink. Then he got charged with a parole violation for getting drunk in public.

(114) In June 1963, two Brooklyn hoodlums were analyzing police intelligence work; they cursed the police.

> They know a lot . . . they know everything. They put everything together, lots of things. Where we take it for granted it don't mean nothing.
>
> These people [the police] have been gathering and gathering. They go here! They go there! See, before it was a different story. If you had the locals, they knew the information, but they kept it for themselves. Today, they are all working together. We got a big problem.
>
> These people are united. Everything they collect, they concentrate. And now everything goes into one office. Before, every squad kept the information for themselves. You take this cop on the corner, you've been paying him for 20 years, maybe. They get the information. Someone comes in from New York and asks if he knows so and so. "Oh, he's a bookmaker." And you've been paying him for 20 years!!! That's the condition you got today.

(115) In June 1963, Stefano Magaddino was heard talking to Anthony deStefano, an underling from Syracuse:

You see, the Cosa Nostra. The other day they made me become frightened. They know our business better than us. They know the heads of the families, the Capodecina, the FBI does.

Therefore, that's why, the other day, I say, Be careful before you open your mouth.

Because sometime somebody could be a spy [law officer] and you might think he is an amico nostro [a friend of ours and a member].

(116) The reason for the concern of La Cosa Nostra is made clear by an internal FBI memorandum from Inspector R. W. Smith to William C. Sullivan, assistant director, Domestic Intelligence Division, dated May 17, 1963. It shows the extent of the knowledge the FBI had amassed over the previous few years:

It is interesting to note that conclusions of the Mafia monograph on the U.S. section II[*] are supported by information from recent Bureau investigation. In fact, it is possible to substitute the newer terms relating to "La Causa Nostra" for the Mafia terms as illustrated in the following monograph conclusions:

1. The Mafia (La Causa Nostra) represents one of the most ruthless, pernicious and enduring forms of criminality ever to exist in the United States.

2. The viciousness and effectiveness of the Mafia (La Causa Nostra) stem from its conspiratorial groups of Sicilian-Italian hoodlums, its adherence to a code of secrecy and silence, and its use of intimidation, violence, vengeance and murder.

3. The fact that Mafia (La Causa Nostra) adherents are primarily Sicilians or Italians by birth or descent does not mean that all, a majority, or even a substantial number of Sicilians or Italians are criminal or Mafiosi (amici nostri members).

4. Mafiosi (amici nostri members) do not participate in such strictly predatory crimes as robberies, burglaries, larcenies, but concentrate on such immensely profitable and less hazardous bigtime criminal ventures as gambling, illicit narcotics traffic, labor and industrial racketeering, and bootlegging.

5. Mafiosi (amici nostri members) are continually searching for new and lucrative fields of criminal and legitimate endeavor to increase their wealth, power, and influence.

6. Many victims of, or witnesses to, criminal acts committed by Mafiosi (amici nostri members) are reluctant, through their dread of familiar Mafia (La Causa Nostra) methods, to make complaints or statements to law enforcement officers or to testify in court.

7. By means of bribery, Mafiosi (amici nostri members) have attempted—successfully—on occasion, to corrupt officials

*Following the Apalachin meeting, the Director had ordered the preparation of two Mafia monographs, one on the Mafia-U.S.A., the other on Mafia-Sicily.

of local, State, and Federal Governments, including representatives of law enforcement agencies, to advance their criminal ends.

8. The legal and illegal activities of Mafiosi (amici nostri members) are so intertwined that distinguishing between the two is frequently difficult, especially as to their sources of income.

9. Mafia (La Causa Nostra) leaders carefully remove themselves from actual association with lower criminal elements and avoid participation in ordinary criminal activity. This practice, in addition to their great wealth, power, and influence, gives them an amazing immunity from arrest and prosecution.

10. In order to combat the menace presented by the Mafia (La Causa Nostra), it is necessary to understand the underlying criminal code of the Mafia (La Causa Nostra), its "modus operandi," the implications and ramifications of its operations, and its relationship to organized crime.

11. Since it is impossible to proceed against the Mafia (La Causa Nostra) as a legal entity, investigations by local, State, and Federal law enforcement agencies must be intensified and must be pursued vigorously and relentlessly to secure the successful prosecution of individual Mafiosi (amici nostri members) for any and all violations of law.

More complete picture

Recently obtained information also amplifies previous information in Bureau files and adds to the knowledge of the terminology of Mafia or "La Causa Nostra." For instance, the newer term "Commission" received from sources in the last few years, describes a ruling body which oversees and coordinates operations and adjudicates disputes. It is noted that, in the Mafia monographs, mention was made that important figures in the Mafia met from time to time to settle disputes and consider activities for their profits. Also, more recent information describes the initiation ceremonies and a code of behavior in detail, all of which are based upon the primary code of secrecy and silence (omerta) discussed in the monographs.

(117) The results of the intelligence gathering program of the 1960's may, therefore, be summarized as follows:

1. There was a national, conspiratorial, criminal organization within the United States which members referred to as La Cosa Nostra.

2. The organization was made up of groups known to the members as "families."

3. The "families" were headed by a leader who was referred to as a boss (capo).

4. The "families" had an executive officer under the leader who was referred to as the underboss (sottocapo).

5. The families had a position known as counselor (consigliere); the counselor was considered to be an advisor and was available to all members of the family.

6. The family had subunits known originally as decina (when the members of the subunit were limited to 10) and later called a regime.

7. The subunits were headed by a person with the title of capo-regime. This position was often referred to as "captain."

8. The individual members of the family were referred to as "members," "soldiers" or "made men."

9. The families were being governed in matters of import and policy, and in matters arising between families, by a national commission, the number of whose members could vary and which was made up of the leaders of the major families.

10. The families whose leaders did not serve on the commission were represented by a commission member.

11. A term used for a family leader or commission member was representante.

12. A term used for family was burgata.

13. Other terms for the organization or its individual families, often used by outsiders, were the Mafia, the organization, the outfit, the clique, the boys, the office, the arm.

14. An initiation ceremony or rite was always used at the time of entry of a new member, but was not the same in every area of the country.

15. Members could be placed on probation, suspended, expelled or demoted.

16. Members could transfer from one family to another.

17. The organization did not use membership records or insignia.

18. Organization members resided and operated in Canada.

19. The organization's business activities were international in nature, going beyond North America.

20. Adjudication sessions were variously referred to as "a table," "a sitdown" or "a chair."

21. Members of the criminal organization had various professions, including law, medicine and the church.

22. There were rules which were known to members, though not written anywhere.

23. Members had been taxed for a family defense fund which was handled by the boss.

24. Relatives and friends were used as couriers.

25. Relatives and friends were used as mail drops.

26. Relatives and friends were used as message centers.

27. Members used elaborate systems of prearranged times and telephone numbers to communicate with each other to avoid electronic surveillance.

28. Members had hidden business interests and used others to veil their investments, thus avoiding taxes.

29. Members engaged in political activity to an inordinate degree by:

a) Making direct political contributions.

b) Engaging in fundraising and obtaining contributions from others for political purposes.

c) Supporting controlled or friendly candidates.

d) Helping to control appointive positions in government.

e) Holding elective and appointive positions at all levels of government.

f) Helping relatives achieve elected and/or appointed positions at all levels of government.

g) Trying to influence the outcome of government decisions.

h) Lobbying in favor of legislation they considered in their best interests.

i) Lobbying against legislation they considered not in their best interests.

j) Dispensing political patronage.

k) Campaigning against candidates considered inimical to their best interests.

30. Money was laundered in foreign depositories.

31. Members assassinated family leaders in order to replace them.

32. The families undertook public relations efforts, that is, to protect Italians from defamation.

33. The families used and abused the services of attorneys.

34. In the entertainment field, members:

a) Made friends with entertainers for prestige.

b) Coinvested with entertainers to make money.

c) Controlled placement of entertainers to make money.

d) Engaged in the production of entertainment to make money.

e) Developed, "owned," and promoted entertainers to make money.

35. The families made illegal deals with high and lower level labor leaders.

36. The families got "finder's fees" for arranging union loans.

37. Members got percentages for obtaining Government loans.

38. Members owned and had connection with banks.

39. Members engaged heavily in nepotism within the organization.

40. The families took care of members who went to prison without involving others. This included caring for the family of the convict, providing a stipend or sizable gift on release, and guaranteeing an income-producing capability thereafter. This was a form of unemployment insurance.

41. Members created problems that would drive victims to them for protection.

42. The families had an intelligence-gathering capability.

43. The families had a counterintelligence capability.

44. The families studied the extent of law enforcement knowledge concerning themselves and their activities.

45. Informants and witnesses were intimidated or killed.

46. Members faked illness (and once, a kidnapping) in order to avoid legal process.

47. Libel suits and other legal actions were used as a defense tactic and strategy.

48. Members shook down gambling operations.

49. Members engaged in other forms of extortion.

50. Bribery was used as a tactic.

51. Other forms of corruption were used.

52. Blackmail was used.

53. Members tried to influence media stories.

54. Members used electronic expertise defensively.

55. Members used electronic expertise offensively against others (wiretapping and bugging).

56. Members used the polygraph.

57. Members avoided family positions that might compromise their usefulness outside the organization.

a) John Montana gave up the family leadership in Buffalo to run for political office.

b) Joe Caminiti, Milwaukee underboss, would not run the family if leader Frank Balistrieri went to jail so as not to jeopardize his position with the International Brotherhood of Teamsters.

J. 1963: Feeling the pressure

(118) As the year 1963 progressed, there were many signs that the constant pressure was taking its toll.

(119) In April 1963, the father of Carmine Lombardozzi, a capo in the New York City La Cosa Nostra family of Carlo Gambino, died. Law enforcement officers covered the wake and funeral for intelligence purposes. As the funeral cortege entered the church, several young men among the mourners assaulted an FBI special agent with fists and feet, took his service revolver, and then fled. Other law enforcement officers recovered the weapon shortly thereafter.

(120) This occurrence was singular, and its importance was far-reaching. An unwritten rule within organized crime was that violence against law enforcement officers or other public officials was to be avoided.

(121) The event was noted at high levels of both the FBI and organized crime. An April 30, 1963 internal FBI memorandum from Courtney Evans, Associate Director, Special Investigation Division, to Al Belmont, Associate Director, General Investigations Division, discussed the assault. Evans believed the incident indicated that members of La Cosa Nostra were seeking permission to retaliate against law enforcement officers, but that such permission had not yet been granted.

(122) Certain FBI personnel apparently decided that they could not allow an agent to be assaulted without a strong response. One tactic was to put pressure on the Gambino family, of which Lombardozzi was a member. Gambino himself and all the other leaders in the family were interviewed. The FBI revealed to them the depth of its knowledge about their criminal organization to shake everyone up.

(123) In a comparatively short period of time after these actions by the FBI and in remarkably similar language, members of the Lombardino hierarchy in Brooklyn, a La Cosa Nostra leader in Philadelphia, and a family leader in western New York State were all discussing the events. This showed the speed and effectiveness of the communications network among the La Cosa Nostra families, despite the significant distances between them, but more importantly, the seriousness of what had transpired.

(124) The following discussion occurred in May 1963 concerning FBI actions in response to the attack on the agent:

MIKE.[1] He was told specifically . . .

PETE.[2] To come and see me?

MIKE. You're a captain. No, they [the FBI] don't want to come to you to embarrass you and your daughter.[3]

PETE. Who did they tell that to?

MIKE. They told that to Freddy.

PETE. Yeah.

MIKE. They don't want to embarrass you. Three of them called. To him. They said, "We don't want to go to Petey Pumps, we don't want to embarrass him with his daughter.

PETE. They already did.

MIKE. They already went to you . . . er . . . this week . . . this is the bullshit.

PETE. Yeah.

MIKE. They don't want to give you no . . . in other words, they are telling you they don't want to embarrass you. In other words, they won't go to the convent. Well, I would say, right now they are giving you the zing. You want us to go to the convent? You want us to embarrass you? Well then, see that the right thing is done.

PETE. Yeah.

MIKE. Actually, what it boils down to, they're looking to use a stick. "But now we'll go on midnight raids. We'll do this, we'll do that, we'll do the other thing. You're a captain. You belong to Carl's family."

PETE. Well, previous to that he hands me Carlo's picture. "You know him?" I said, "Sure, I know him." "How long you know him?" "I know him 20, 30 years."

MIKE. They didn't expect you so say nothing.

PETE. "Can you tell us anything about him? The only thing I could tell you about him is that he is a businessman, been in business all his life. Brought up four kids. They had a good education. They're all in business. They all went to college and married a profession. I said, what else could you ask for? He's got a nice family."

See what they do . . . they want to get a message through. I mean get a message through someplace. There's no question about it.

MIKE. They want to put the heat on you, me.

PETE. Yeah.

MIKE. Because here's the proof of it. They've gone to every captain.

PETE. And they call them "captains." One guy said, "foreman." And the other guy said, "Capo Regina." I mean they're going right to each head. To the head of everybody they're going to. But for them to say this, when he told me this, I said, "Jimmy, I think he already saw them."

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[1] Mike is Michael Scandifia, an acting capo in the Carlo Gambino family.
[2] Pete is Peter "Pumps" Ferrara, a capo in the Carlo Gambino family.
[3] Ferrara had a daughter who was a Catholic nun.

PETE. Yeah.

MIKE. "I think he already saw them," I said. Now to put the heat on him to go to his daughter, I said, this don't make sense to me. I said, "Where the [obscenity] does this come into the picture?" Now they don't want to embarrass you.

PETE. What are they going to embarrass me for? What can they do? Go up there?

MIKE. Well, God forbid! They can't . . . they can't throw her out.

PETE. No.

MIKE. They couldn't throw Albert's brother out.[1] How are they going to throw her out?

PETE. Nah. They can't throw her out.

MIKE. Embarrassment, that your daughter is a nun. I mean, Jesus Christ! It's supposed to be an honor.

PETE. They can't do nothing. They won't do nothing.

MIKE. Dirty [obscenity]. Now that they bring out everything, Pete, the Cosa Nostra is a wide open thing.

PETE. Yeah.

MIKE. It's an open book.

PETE. It's an open book.

MIKE. Pete, you know as well as I do, familiarity with anything whatsoever breeds contempt. We've had nothing but familiarity with our Cosa Nostra . . . if it bring up sides, what the hell are we supposed to do! I only know one thing, Pete. The Cosa Nostra is the Cosa Nostra. You just do what the [obscenity] bosses tell you!

(125) In May 20, 1963, Angelo Bruno, Joseph Magliocco,[2] Sal Profaci,[3] Peter Maggio and Salvatore Maggio[4] were meeting. Magliocco was having difficulty obtaining the commission's approval for him to be Profaci's successor. He was attempting to gain Bruno's vote on the commission.

(126) During the meeting, Bruno described the FBI tactics used on Carlo Gambino. He noted that the agents had named all Gambino's capos, named Joe Biondo as underboss, Joseph Riccobono as the family counselor, and said, "These are your amici nostri, you are the representante, you are the Boss." The agent was reported to have then asked,

> Did you change the laws in your family, that you could hit FBI men, punch and kick them? Well, this is the test, that if you change the laws and now you are going to hit FBI men, every time we pick up one of your people we are going to break their heads for them.

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[1] "Albert's brother" refers to a Roman Catholic priest, who was the brother of Albert Anastasia, a mob leader.

[2] Joseph Magliocco (underboss to the late Joseph Profaci, as well as his brother-in-law).

[3] Sal Profaci, son of the late Joseph Profaci and Magliocco's nephew.

[4] Peter and Salvatore Maggio, Bruno lieutenants, who are also related to him by marriage.

(127) Bruno then related that they had in fact picked up one guy:

> They almost killed him, the FBI. They don't do that, you know. But they picked up one of his fellows and they crippled him.
>
> They said, "This is an example. Now, the next time anybody lays a hand on an FBI man, that's just a warning. There is nothing else we got to tell you."

(128) Sam Giancana in Chicago was also feeling the pressure. Giancana's concern could be readily understood. For some time he had been the subject of intense coverage by the FBI. By the spring of 1963, it had become "bumper-to-bumper," almost 24 hours per day—while driving, on the golf course, in restaurants, wherever he was. He had also suffered a number of political defeats, and there had been the publicity over his son-in-law, Anthony Tisci, who worked for Congressman Liborati being at the civil hearing on his requested injunction from the Federal courts to curtail FBI physical surveillance. As a consequence, Giancana was staying away from his home base in Chicago to a significant degree, and it was creating problems.

(129) During the first week of July, FBI agents interviewed Charles "Chuck" English, a close Giancana associate, at his request. It took place at the Armory Lounge (Giancana was present in another part of the lounge during the interview). Toward the end English, who was somewhat intoxicated, tried to get Giancana to speak to the agents, but he refused. As the agents were preparing to depart in their car, English came out with a message from Giancana:

"If Bobby Kennedy wants to talk to me, I'll be glad to talk to him and he knows who to go through."* On July 9, Director Hoover advised Attorney General Kennedy of this occurrence and that:

> We have now learned that Chicago hoodlum leaders are extremely upset over the fact that English submitted to the interview and his mention of the Sinatra relationship.

Later in July 1963, on two weekends, Sam Giancana and Phyllis McGuire, the singer, were together at the Cal-Neva Lodge on Lake Tahoe, Nev. One of these weekends Frank Sinatra, who owned 50 percent of the lodge (as well as having an interest in the Sands in Las Vegas) was with them. On August 2, 1963, Giancana and McGuire were also guests at Frank Sinatra's Palm Springs, Calif., home, having flown there on Sinatra's plane. These and other similar facts appeared in the Chicago newspapers and other media and resulted in action by the Nevada Gaming Commission, which had listed Giancana as a person not to be allowed in any premises licensed for gambling. Sinatra refused to deny his close relationship with Giancana and decided to sell his interests rather than run the risk of a suspended license.

Later that month, the FBI learned of rumbling in the higher echelons of organized crime in Chicago over Giancana's absenteeism and bad publicity. Tony Accardo, Fifi Buccieri, Joe Gagliano, and Willie Messina supported the idea of Accardo protégé Jackie Cerone's taking over the mob's activities, at least during Giancana's extended absences.

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*English had indicated previously that Frank Sinatra, the singer and entertainer, would be the person to arrange such a meeting.

(130) In October 1963, Pat Marcy, a political front man for Sam Giancana, and another man were overheard talking. The other man stated that he had never seen conditions so bad as they were in Chicago at the time. The other individual then stated that Paul Ricca (former leader of the Chicago criminal organization) advised him that the organization must be patient and wait for the pressure to lift.

(131) Sam Giancana and his organized crime peers were facing other problems as well, which many experts attributed to unremitting Government pressure. Internal dissension was a major concern. It had several principal sources.

(132) First, Joseph Bonanno, a family leader who alternated his time between New York City where his family was located, and Tucson, Ariz., where he resided with his nuclear family, became overly ambitious. He suggested that Frank DeSimone, leader of the southern California family, be deposed and supplanted with Bonanno's son, Salvatore. This suggestion was strongly opposed by other commission members, particularly Stefano Magaddino of Buffalo.

(133) Second, the Gallo-Profaci gang war was raging in New York, and had been since 1961. It was described in an FBI Intelligence Bulletin as "the most notorious feud in gangland since the Castellamarese War" (circa 1930–31). Though an intrafamily affair, it was threatening to involve other New York families, and the media's coverage could not have pleased organized crime anywhere.*

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*The events in the war up to 1962 were recapitulated in a report:

Monday, Feb. 27, 1961. Headed by Nicholas Forlano, Carmine Persico, Jr. and the Gallo brothers, the insurgents kidnap five persons: Family underboss Joseph Magliocco, four capos of the Profaci family.

They are held until February 28. Long distance negotiations are conducted with Joseph Profaci, the family leader, who is in Florida. Between 90 and 125 members of the family's 150 side with the insurgents.

The Gallo brothers were in contact with Anthony Strollo (alias Tony Bender) the day before the kidnappings and they claim that they had his endorsement for this coup. [Strollo was a capo in the Vito Genovese family. Genovese had only recently been sent to prison for a 15-year term for narcotics violations. This move was apparently interpreted as an overly ambitious one on the part of Strollo, and in September 1962 he and his Cadillac "disappear," neither to be seen again.]

In early May, shots are taken at Joey Gallo. The dispute is referred to the Commission.

In August, John Scimone "defects" to the Gallo side, but he is really a Profaci "plant" in the enemy midst.

Nicholas Forlano and Carmine Persico, Jr., ameliorate their differences with Profaci and return to his discipline and control. They are made the principal mercenaries who are to eradicate the rebellious Gallo brothers. Joe Jelly (a Gallo associate) is taken out on a fishing trip, is shot, arms and legs cut off the torso, all placed in a barrel and tossed into Sheepshead Bay. His clothing, stuffed with dead fish, is thrown from an auto in front of a restaurant the Gallos frequent as a message.

Aug. 20, 1961. At the Sahara Lounge, a Brooklyn supper club, an attempt is made on the life of Larry Gallo, by strangulation. The escaping felons departing the scene shoot and wound a police officer.

Sept. 21, 1961. Anniello Dellacroce, a capo in the Carlo Gambino L.C.N. family, is dining in the Luna Restaurant in Manhattan and is severely beaten by the Gallo group.

The FBI learns that although he was not present at the Sahara, Dominick "Mimi" Scialo supervised the attempt on Larry Gallo's life.

October 1961. There is an attempt to murder family leader Joseph Profaci at a New Jersey hunting lodge. The manager of the premises is able to convince the Gallos that "The old man is not present," and thus saves his life.

(Continued)

(134) The death of Joseph Profaci in March 1962 in the middle of the war had offered the possibility that new leadership might bring the conflict to an end. Giuseppe Magliocco, Profaci's underboss and brother-in-law, wanted to take over the family. The commission, however, was reluctant to approve his succession because the rebel Gallo group would not accept his leadership, and the war would have continued.

(135) Bonanno and Magliocco then decided to eliminate some of their opposition by assassinating Carlo Gambino and Thomas Lucchese, two other New York family leaders and commission members. The assassin to whom Magliocco gave "the contract," however, revealed the plan to Gambino, who lodged a complaint with the commission.

(136) In the summer of 1963, the commission tried to negotiate a truce. There was a meeting in Atlantic City, attended by Stefano Magaddino, Carlo Gambino, Thomas Lucchese, Joseph Magliocco, Joseph Bonanno, and Angelo Bruno (all save Magliocco were commission members). Magaddino called Joseph Magliocco, a self-appointed commission member, who owed the commission $43,000 (expenses involved in investigating charges against him). He further told Magliocco that he was not approved as a boss of a family, and he was to stop acting as one, immediately. The commission also tried to deal with the Bonanno/Los Angeles issue. Magaddino did not think highly of Frank DeSimone, the boss of the Los Angeles family, but disapproved of Joe Bonanno's plan to send his son Bill (Salvatore) and 40 men in Los Angeles to take over as representante (or boss). Magaddino, speaking to two of his underlings and wanting to impress them with the authority of a boss, said, "Not even the Holy Ghost could come into my territory without authorization."

(Continued)

Nov. 11, 1961. Salvatore Mangiameli of the Gallo gang and Michael Rizzitelli (an expatriate New Yorker who has returned from California to aid the Gallos) kill John Guariglia (of the Profaci group) and the owner of a lounge where Guariglia was found.

November 1961. Six of the Gallo gang adherents desert and defect to the opposition.

Dec. 2, 1961. An attempt is made to kill Larry Gallo with a shotgun. The assassin was driving a sports car disguised as a woman [sic].

Jan. 12, 1962. The Gallos beat up two of Carmine Persico's men, found in a nightclub.

Jan. 29, 1962. Mike and Philip Albergo are shot and wounded while attempting to repair an ice-picked flat tire. This is because of their business association with the Gallos.

A temporary truce is declared.

Mar. 5, 1962. Several shots miss Joseph Profaci, Jr.

Mar. 11, 1962. Two soldiers in the Carlo Gambino L.C.N. family are beaten in a nightclub.

Nicholas Forlano, Carmine Persico, and two other Profaci capos want the old man to step down. Joseph Profaci expires from natural causes. His brother-in-law and family underboss, Joseph Magliocco, takes over. He wants $100 per month from every gambling operation for a fund to escalate the war against the Gallos.

July 1962. More Gallo defectors seek the protection of the Carlo Gambino family.

October 1962. Anthony DiCola and Marco Morelli, two Gallo adherents, "disappear."

(137) Initially, the attempt to resolve the disputes was apparently unsuccessful, the violence continued:

—June 6, 1963. Ermile Colantuono, a local businessman, was killed for giving financial aid to the Gallo gang. Nicholas Bianco, of this group, went to Raymond Patriarca in Providence, Rhode Island (where Bianco originated) to complain of this action. Patriarca agreed to talk to Thomas Lucchese, another New York La Cosa Nostra leader, about it.

—June 12, 1963. Shots missed Frank Illiano, a Gallo family member. Vincent DiTucci of the opposing side was killed. Jerry Basciano was arrested for the murder but released because of insufficient evidence.

—June 18, 1963. Alfred Mondella was killed. Nicholas Getch of the Gallo gang killed Joseph Cardiello. Later the same day the opposition struck back and killed Louis Mariani.

—September 3, 1963. The situation changed when Joseph Magliocco stepped down from the leadership position and retired. He announced to his assembled capos that these were the orders of the commission. There was a cease-fire, and the commission took charge of the family.

—In early 1964, Joseph Colombo was appointed by the commission as leader, and the war came to an end. The casualty list included 9 dead, 3 missing, presumed dead, 11 wounded or beaten, and 9 fired at, but missed.

(138) The importance of these rifts was reflected a year later in a September 22, 1964, conversation between Mike Genovese (brother of boss Vito Genovese) and Tommy Eboli, a capo in the Genovese family. They were discussing Joe Bonanno's reluctance to report to the commission to explain his misdeeds.

> EBOLI. If one member can dispute a commission order you can say goodbye to Cosa Nostra, because the commission is the backbone of Costa Nostra.
>
> It will be like the Irish mobs who fight among themselves and they [the Italians] will be having gang wars like they had years ago.

(139) A third major concern in 1963 was the decision of the Justice Department to have Joseph Valachi appear before a congressional committee to testify publicly about his membership in La Cosa Nostra and about organized crime generally.

(140) While few people knew in advance of his willingness to cooperate, even in law enforcement circles, organized crime had learned about it. It was discussed widely throughout the La Cosa Nostra, and a number of members followed the hearings on television. The following are examples of organized crime's reactions:

(141) James Lanza, leader of the La Cosa Nostra family in San Francisco, on August 12, 1963, was overheard talking with an associate, Vito Bruno:

> LANZA. Yeah; this guy Joe Valachi is the guy who is telling about it [La Cosa Nostra].
>
> V. B. Cosa Nostra. Cosa Nostra.
>
> LANZA. This guy is in jail. Vito Genovese is in jail, too.

This guy gave information to the federals. He attacked a man with a rock and killed him, and the prison officials didn't know why he killed him. Anyway, this guy thought the Mafia, the Cosa Nostra had sent the guy in to kill him.

This thing has come out now in the papers, but he has been telling about it for the past year.

V. B. They know everything.

LANZA. Yeah.

(142) On September 17, 1963, Stefano Magaddino was heard to say, after a lengthy discussion about Joseph Valachi, "We passed laws that this guy has got to die."

(143) On September 27, 1963, John Sebastian LaRocca's decision to remain in the Pittsburgh area during the months of October and November 1963 was said to depend on the testimony of Joseph Valachi. If his testimony should "hit closer to home," LaRocca would take a short vacation at his Bel Aire, Fla., residence. LaRocca was extremely annoyed at Valachi's testimony and would not allow it to be discussed in his presence. He claimed, "Valachi hasn't done a decent thing since he was born, and never did a good thing in his life." LaRocca, in fact, departed for Florida on October 10, 1963.

(144) On September 28, 1963, Stefano Magaddino, Peter Magaddino, and Sam Rangatore discussed newspaper coverage of Joseph Valachi's testimony. Magaddino was concerned that some time in the past he had told Valachi about a murder that he, Magaddino, had committed. The participants in the conversation characterized Valachi's testmony as "fairy tales." Magaddino said that Vito Genovese should have killed Valachi.

(145) On October 10, 1963, Giancana and English talked about Valachi's testimony. They said they believed that Valachi would not be able to hurt the Chicago organization, but that he was doing great harm to the New York members. English feared the Government would capitalize on the situation in the future to obtain other informants by showing that they had gone along with Valachi and had not held him accountable for his crimes.

(146) On October 16, 1963, Giancana issued instructions to all political associates to discontinue their practice of attending weddings and funerals of hoodlum families.

(147) On October 24, 1963, in Miami, Fla., Madeline Costello, wife of Charles, a mob figure, was speaking to an unidentified male:

> I won't talk in this house, that's the way things are, all right. I want to talk, I'll take a walk outside. You know there's got to be something in this house.

(148) She continued saying that the house was vacant so much there was ample time and opportunity for installation of a "mike." She had expressed similar thoughts in the past. She then commented on the situation:

> I'll tell you the things they are doing to that man [Angelo Bruno] are awful, just terrible * * *.
>
> UNKNOWN MALE. They are crucifying him!
>
> MADELINE. And for what? It's all a political thing, you know.

(149) Madeline went on to indicate that Valachi had never laid eyes on Bruno. They all laughed at how ridiculous the Senate hearings were. They imitated the senators and laughed at Valachi's description of a "kiss of death."

UNKNOWN MALE. The hearing is all political, instigated by Robert Kennedy. They're murdering the Italian name.

(150) On October 25, 1963, Joe Zerilli, the Detroit leader, orders all Italian syndicate numbers operations closed. This order came as a result of the Valachi testimony and an IRS raid in Toledo, Ohio.*
(151) The FBI's La Cosa Nostra file also reflected that the New York La Cosa Nostra was developing a strategy to discredit the Valachi testimony by suggesting he was insane and citing the mental history of his family members. They planned to find out if his wife had any papers which might substantiate their claim.
(152) At the conclusion of the Senate Committee's work, Director Hoover provided the FBI's perspective of the Valachi hearings. In a March 2, 1964, telephone conversation with Senator John L. McClellan, Hoover said that the Valachi hearings "shook them all up." The Senator suggested that the Director write him a letter to that effect. Hoover said he would consider it.
(153) On March 6, 1964, Hoover sent a letter to Senator McClellan. It stated, in part:

> In pursuing this purpose, your committee has placed on the record information concerning conditions most citizens did not realize existed. There is no doubt that attention across the Nation was focused on Joseph Valachi's testimony regarding La Cosa Nostra, as well as on the testimony of other witnesses who appeared at these hearings. Public opinion was moved against the forces of evil.

K. Attitude toward the Kennedys: Before and after

(154) During the early 1960's, many complaints, some threatening, were voiced generally by La Cosa Nostra members against the law enforcement officers who were hounding them. Some individual FBI agents were specifically reviled. Interestingly, however, there was little, if any, malice specifically directed toward Director Hoover. The real anger was seemingly reserved for the Kennedys, particularly Robert. The following information illustrates where La Cosa Nostra members lay the blame for their problems and what they anticipated from the future.
(155) On February 9, 1962, Angelo Bruno and Willie Weisburg discussed the Kennedys. Weisburg, a business associate of Bruno's, was complaining about the FBI and the Kennedys:

WEISBURG. See what Kennedy done. With Kennedy, a guy should take a knife, like one of them other guys, and stab and kill the [obscenity], where he is now. Somebody should kill the [obscenity]. I mean it. This is true. Honest to God.

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*The Valachi hearings included the testimony of Police Commissioner George Edwards of Detroit, who at the time had been designated to become a Federal judge; he now serves on the Seventh Circuit Court of Appeals.

It's about time to go. But I tell you something. I hope I get a week's notice. I'll kill. Right in the [obscenity] in the White House. Somebody's got to get rid of this [obscenity].

Bruno, however responded to Weisburg with the following story:

Look, Willie, do you see there was a king, do you understand. And he found out that everybody was saying that he was a bad king. This is an old Italian story. So, there was an old wise woman about 140 years old. So, he figured. Let me go talk to the old wise woman. She knows everything. So he went to the old wise woman. So he says to her. I came here because I want your opinion. He says, do you think I'm a bad king. She says, no, I think you are a good king. He says, well how come everybody says I'm a bad king? She says because they are stupid. They don't know. He says, well how come, why do you say I'm a good king. Well, she said, I knew your great grandfather. He was a bad king. I knew your grandfather. He was worse. I knew your father. He was worse than them. You, you are worse than all of them, but your son, if you die, your son is going to be worse than you. So it's better to be with you. (All laugh) So Brownell [former Attorney General] was bad. He was no [obscenity] good. He was this and that.

WEISBURG. Do you know what this man is going to do? He ain't going to leave nobody alone.

BRUNO. I know he ain't. But you see, everybody in there was bad. The other guy was good because the other guy was worse. Do you understand? Brownell came. He was no good. He was worse than the guy before.

WEISBURG. Not like this one.

BRUNO. Not like this one. This one is worse. Right? If something happens to this guy. [Laughs.]

WEISBURG. Let me tell you something. The FBI always hated the IRS. Always. The IRS never checked with the Treasury men. They went separate ways. They wouldn't give each other information. They wanted the credit themselves. He made it with local authorities. He made it ringaround the rosy, pal.

BRUNO. Oh, yeah. This guy is an accountant, see. So, now, he had to do something worse. So what? He started to think, what can I do more than the other guy. The other guy made the antiracketeering law, gambling laws, he did this and he did that. What can I do. He says, I know what I can do. Anybody that has a record that is police property, when he gets pinched, no bail. [Bruno then compares the Italian process of not allowing bail and incarcerating individuals until proven innocent.]

WEISBURG. It's still America, though.

BRUNO. So, it's still America. They are trying to pass a Federal law that you can't take the fifth [amendment]. When they grant you immunity you can't take the fifth.

WEISBURG. They are not going to pass that law.

BRUNO. But they might.

(156) On February 17, 1962, Bruno had a conversation with Mario and Peter Maggio, in-laws and associates of Bruno. One of the Maggio's said:

> MAGGIO. * * * Kennedy is going to leave, they are going to make him a special assistant (to the President) out of him. They want him out of the way, he is too much, he is starting to hurt too many people, like unions. He is not only hurting the racket guys, but others, antitrust . . . I think that he is going to leave. But the only reason he won't leave, which I heard before, you see he wants Edgar Hoover out of that.

(157) On May 2, 1962, two New York La Cosa Nostra members, Sal Profaci and Michelino Clemente, and a third unidentified individual named Bob, were talking. Clemente commented:

> CLEMENTE. Bob Kennedy won't stop today until he puts us all in jail all over the country. Until the commission meets and puts its foot down, things will be at a standstill. When we meet, we all got to shake hands, and sit down and talk, and, if there is any trouble with a particular regime, it's got to be kept secret, and only the heads are to know about it, otherwise some broad finds out, and finally the newspapers.

(158) Later in the conversation, Clemente stated that things were not like they were years ago, when the commission would meet once a month and there were no cops around to spy on them. Today, he said, in order to have a meeting, you have to tell each one individually about the meeting, without letting them know who else would be present or what the meeting was going to be about, so that there would be no chance of any information leaking out.

(159) In January 1963 in Chicago, Chuck English bemoaned the fact that the Federal Government was closing in on the organization and apparently nothing could be done about it. He made various inflammatory remarks about the Kennedy administration.

(160) In January 1963, Raymond Patriarca, the mob leader of Boston who operated out of Providence, R.I., had a long conversation with Gennaro Anguilo and Peter Limone, two associates, about Robert Kennedy. In summary, Patriarca stated that things were not too good as long as Attorney General Kennedy was in Washington, D.C. He related an argument he had had with Robert Kennedy when called before a congressional committee 3 or 4 years earlier.

(161) On May 23, 1963, Stefano Magaddino was heard to say:

> We are in a bad situation in Cosa Nostra. When Profaci died, the Borgata [family]broke up.
>
> They know everything under the Sun. They know who's back of it, they know Amici, they know Capodecina, they know there is a commission. We got to watch right now, this thing. where it goes and stay as quiet as possible.

Magaddino then expressed a bitter hatred for Atty. Gen. Robert F. Kennedy.

(162) In October 1963, Sam Giancana, Charles English, Tony Accardo, and Butch Blasi had a long conversation in Chicago. They

44-105 O - 79 - 4

discussed Robert Kennedy's not being available for a Columbus Day parade, but coming to Chicago on October 13 for a B'nai B'rith affair. The "Jews" downtown were, they said, beaming. They also discussed the Bobby Baker scandal. Baker had just resigned his job, and they had not done anything to him. They surmised that he must have come out with a ton of money.

(163) Next they talked about Chicago Police Superintendent O. W. Wilson's chart on the La Cosa Nostra, presented before the McClellan committee at the Valachi hearings. "On top he had an Italian organization." Chuck English spoke of the possibility of the Teamsters Union going back into the AFL—it would hurt Kennedy if they were to take Hoffa back.

(164) They discussed golf. An unidentified person asked if Bobby Kennedy played golf; they knew John Kennedy did. Another person suggested putting a bomb in his golf bag, and they all laughed.

(165) On October 31, 1963, Stefano Magaddino and Peter Magaddino had a discussion about President Kennedy. Peter stated that "He should drop dead." He then added that "they should kill the whole family, the mother and father too!" "When he talks he talks like a mad dog. He says, 'My brother the Attorney General.' Why, he never won a case. He never tried a case."

(166) The brutal murder of the President in November 1963 did not cause any changes in feelings.

(167) In New York City, when Morris Schlitten, a major numbers gambling operator, learned of the President's death, he said "Good!! Too bad they didn't kill his brother Bobby, too!"

(168) On November 22, 1963, Sam Giancana and Chuck English met. Part of the discussion was of the assassination of President Kennedy. Giancana commented that Atty. Gen. Robert Kennedy would not have the power he previously had, and that he would now be answerable to a person not his brother.

(169) On November 25, 1963, Giancana, English, and Butch Blasi, all members of the Chicago criminal organization, were talking. English said: "I am not a hypocrite. I didn't like him before he died, and I still feel the same way. If he wanted to put me in jail then [obscenity] him!!" At another point, English commented of Oswald, "This 24-year-old kid was an anarchist. He was a Marxist Communist." Giancana replied, "He was a marksman who knew how to shoot!"

(170) On November 24, 1963, Stefano Magaddino, Peter Magaddino, Antonio Magaddino, and Sam Rangatore speculated about Jack Ruby and Lee Harvey Oswald. Stefano Magaddino said:

> Its a shame we've been embarrassed before the whole world by allowing the President to be killed in our own territory. You can be sure that the police spies will be watching carefully to see what we think and say about this.

(171) On November 26, 1963, Stefano Magaddino, Peter Magaddino, and Sam Rangatore again speculated about Jack Ruby and Lee Oswald. Fred Randaccio entered and congratulated Rangatore on the death of the President. There was laughing, and then Stefano Magaddino cautioned the group. He said that the public would be watching for their reaction and that they must not joke. All agreed.

(172) Magaddino then went on to say that President Kennedy was one of the Nation's greatest presidents and blamed the assassination on his brother, Robert Kennedy. Robert Kennedy pressed too many issues behind the scenes. Neither the President nor Hoover nor the FBI wished to bring up "discussions," which were brought out by the Valachi hearings. The Attorney General had to "accomplish something" and so had pressed too many issues.
(173) On December 3, 1963, Chuck English, Sam Giancana, and Butch Blasi, all members of the Chicago criminal organization, were together. English said:

> I tell you something, in another 2 months from now, the FBI will be like it was 5 years ago. They won't be around no more. They say the FBI will get it [the investigation of the President's death]. They're gonna start running down Fair Play for Cuba, Fair Play for Matsu. They call that more detrimental to the country than us guys.
>
> These local problems at home, let the local police take care of it.

(174) On February 2, 1964, Angelo Bruno, Charles Costello, Ben Golub, Harry Zimand, and Tony (LNU) were present. In a discussion of the Kennedy assassination, someone commented, "It is too bad his brother Bobby was not in that car too."
(175) On March 13, 1964, Stefano Magaddino and Peter Magaddino were talking to John Camilleri and Joseph Bongiorno, two members of the La Cosa Nostra organization in Buffalo. When Attorney General Robert Kennedy was mentioned, Peter Magaddino said, "We'll fight him as long as he lives, he is always crucifying people."
(176) On August 13, 1964, Russell Bufalino, a Pennsylvania mob leader, was complaining that someone was unable to do him a favor, and commented:

> The Kennedys are responsible for all my troubles. They killed the good one [John Kennedy]. They should have killed the other little guy [Robert Kennedy].

L. Analysis of the evidence

(177) The conversation of major La Cosa Nostra figures establish a number of important points. As a group and as individuals, they felt pressure from the Federal Government. Their attention was focused on Robert Kennedy, but there is no evidence or even a hint that this pressure and focus matured into a concrete plan to relieve the pressure generated by Robert Kennedy by destroying his political base by killing the President.
(178) Nevertheless, caution is in order. While extensive, the intelligence program of the FBI and other police agencies was not comprehensive. Major groups and individuals were hardly touched or covered at all. For example, little is known about either Santos Trafficante in Florida or Carlos Marcello in Louisiana.

III. ORGANIZED CRIME MURDERS: ANY PRECEDENTS?

(179) Another major issue in this analysis was whether there have been any parallel homicides in the history of organized crime that

might cast light on the Presidential assassination and the manner in which it was carried out.

(180) A great deal is in fact known about the type of victims and the methods by which organized crime has traditionally committed murder. The information has been obtained from highly knowledgeable sources, usually the killers themselves. For example,

—Abe Reles and others in Murder, Incorporated confessed to their own participation in murder and then testified against others in New York City and Los Angeles.

—Joseph Valachi included the details of a number of murders in New York City in his testimony before the McClellan committee.

—Joseph Luparelli confessed the details of his participation in the murder of Joe Gallo in New York City.

—Joseph Barboza testified against Raymond Patriarca and others in New England in a context where murder was a central question.

—Raymond Ferritto of Erie, Pa., participated in several homicides in Cleveland in which he implicated James Frattiano, James Licavoli and others.

—Much was also learned from sources such as Frank Bompensiero of San Diego, Calif., an FBI top echelon informant for 12 years, who was himself a homicide victim.

A. Attitude toward murder

(181) The use of violence generally, and murder more particularly, is restricted by the leadership in organized crime. Murder is regarded as a method of last resort.

(182) In the 1960's, Peter Ferrara, an organized crime figure said, "If it wasn't for us, there could have been 20 Chicagos." * As organized crime became more disciplined at the close of the Prohibition Era, violence of the gang-war type went into a marked decline.

(183) Even though overt and frequent violence declined, the threat remained. Criminals learned to use this threat of violence, especially execution, to achieve their goals. They realize that where fear is great enough, actual violence becomes unnecessary.

B. The victims

(184) The evidence shows that organized crime has judiciously avoiding using force against law enforcement officers, other government officials, reporters and certain other groups of people. In 1963, when Vito Genovese was asked to authorize violence against Federal narcotics agents accused of "framing" some of his men, he vetoed the suggestion. Exceptions usually turn out to be persons who have doublecrossed the criminal organization.

(185) There is no precedent in the United States for violence directed at a high-level public official. In fact, it is said that Arthur "Dutch Schultz" Flegenheimer's plan to kill Thomas Dewey, then district attorney of New York County, was the major factor in Schultz's murder in the 1930's.

C. Characteristics of organized crime murders

(186) The following are the characteristics of a typical organized crime murder.

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*This is an apparent reference to the St. Valentine's Day massacre.

(1) *The authorizer.*

(187) Use of violence requires authorization and approval. This is particularly true when the intended victim has been a member of the criminal organization, an employee or a business associate.

(188) Approval usually must be given by a person of rank, power and authority. He is the authorizer. Because authorization of a crime involves the same degree of guilt as commission of the crime, the authorizer will try to hide his role so that there will be no direct evidence of complicity. Usually, the person conveys approval through one trusted and close confidante, who becomes the expediter.

(2) *The expediter.*

(189) This person has responsibility for seeing the crime is accomplished. He is given wide latitude as to how it is carried out. For example, he can do it himself, he can recruit others, or he can join with others.

(190) Although the expediter has the option of committing the crime (thus reducing the conspiracy to two persons, himself and the authorizer), this is the least likely possibility. He, too, is aware that layers of insulation provide protection. Most likely he will give "the contract" to others, although he cannot divest himself of responsibility for success or failure. He may subcontract the matter to a subexpediter or recruit a "hit team." In either event, he will restrict himself to trusted persons.

(3) *Hit men*

(191) Where possible, hit men are recruited who have a record of successful commission of crimes. In the argot of organized crime, a successful "hit" is one way of "earning your bones," that is, being accepted as a member in the criminal organization or, if already one, earning a position of trust. Persons doing their first "hit" will usually be part of a team with more experienced mentors.

(192) Frequently, at least two executioners will be involved on the "hit" to insure success. They may act simultaneously, in the case of shootings, or one may back the other up.

(193) "Importing" out-of-town killers is the exception rather than the rule.

(4) *Murder weapon*

(194) Most frequently, the murder is committed by gunshot, using handguns. There are variations, which depend on individual taste, local custom or special circumstances. Killers in Chicago have traditionally favored the shotgun, while killers in Youngstown, Ohio, in the past and in Cleveland in the mid-1970's used dynamite and other explosives. Rifles have been used where it was difficult to get close to the victim, the case during gang wars. Knives, ice picks, and strangulation by garroting have also been employed.

(5) *Wheelmen and the hit car*

(195) Usually a car is used to reach and leave the location of the murder. There is a definite advantage to having a driver, known as a wheelman, who is local and not "imported."

(6) *The crash car*

(196) Frequently, to insure the safety of the shooters, a second car, referred to as a crash car, will be used. Most likely it will not be a stolen vehicle (where as the actual "hit car" might be). The operator should (if possible) be someone without a criminal record and not easily identified with the rest of the "hit team." The crash car may carry a second person to serve as an observer.

(197) The role of the crash car is to cut off pursuit by a police vehicle or civic-minded citizen while the "hit car" makes its getaway. As its name implies, it may crash into the pursuit vehicle, with the driver liable for nothing more than a summons for failure to yield right-of-way.

(7) *The finger*

(198) Sometimes the "hit team" does not know the victim and would not recognize him. In this event, a "fingerman"—someone who does know the victim—will point him out. This person may be a friend or associate of the victim and often is used to lure him to an appointed place.

(8) *Limited conspiracy*

(199) While it is thus possible for eight or more people to be involved in a typical gangland slaying, quite frequently they do not know each other at the time, and it is probable that only one would be in a position to give direct evidence against the issuer of the "contract."

(9) *Method variation*

(200) Sometimes variations of this methodology are used that have special meaning. For example, leaving the victim's corpse behind in an ordinary shooting is a form of according "all the honors of war to an enemy." The family of the deceased may then have a proper funeral and is able to arrange the dead man's affairs. When there is no body, a proper ceremony cannot be held and the man's estate cannot be probated until legal death is declared by an appropriate authority. This type of murder is usually reserved for someone who "double-crossed" the person authorizing the killing.*

(10) *Disposal of the body*

(201) Bodies that are to disappear are usually dumped at sea, compacted in an automobile, or buried at out of the way locations such as the New Jersey chicken farm where the FBI once recovered identifiable corpses.

D. Three exceptions

(202) While this methodology is representative of traditional pattern of organized crime violence and murder, departures from that pattern have been recorded:

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* In the 1976 murder of John Rosselli, the body was supposed to "disappear." It had been cut up (probably because rigor mortis had set in between the time of death and the time of disposal), stuffed into an oil drum, and dropped into the sea. It later floated up in Biscayne Bay. This effort to hide the body, together with the fact that his car was left at the Miami International Airport, gave rise to the hypothesis that his assassin(s) were trying to make it appear he had voluntarily departed to avoid deportation.

—The acid blinding of news reporter Victor Riesel in New York City in 1956.
—The shooting of Joseph Colombo in New York City in 1971.
—The murder of Sol Landie, a Federal witness against La Cosa Nostra members, in Kansas City, Missouri.

(1) *Victor Riesel*

(203) Victor Riesel, a nationally syndicated labor columnist, had been writing unfavorably about six or seven New York City locals of the United Auto Workers, American Federation of Labor. The jurisdiction of these locals was vague, but it was aimed at unskilled employees of automobile agencies and car washes in New York City.

(204) These locals and their hoodlum officers were shortly to become the infamous "paper locals" that obtained charters from the International Brotherhood of Teamsters. (The term "paper locals" was coined during the investigation of the McClellan committee to indicate that a sizable portion of the membership did not exist. The Senate investigation showed that the principal function of these locals was to provide officers who would vote for James Riddle Hoffa as international president in 1957.)

(205) The regional director of UAW-AFL was John Dioguardia. At the time, he was a member of the Thomas Lucchese family of La Cosa Nostra, and a person of influence in New York City's garment industry. His brother, Thomas, owned a material supply house; his uncle, James Plumeri, was a labor fixer and involved in gambling activities in the garment area; and Joseph Berger, a close associate, was president of the vital trucking local of the International Ladies Garment Workers Union.

(206) Riesel considered Dioguardia's role as a "labor leader" to be suspect and accused him of not being representative of the American labor movement.* It was strongly believed that the six or seven locals under Dioguardia's leadership were principally involved in obtaining money through labor racketeering.

(207) Since April 2, 1956, Riesel had been filling in for radio broadcaster Barry Gray on a program aired from Hutton's Restaurant between midnight and 2 a.m. After the April 5 program, Riesel, in the company of Bettie Nevins, a radio and television assistant, and Abe Savage, a friend, had gone to Lindy's Restaurant, at the time a popular late night hangout for media people, entertainers, and others. About 3 a.m., the three left Lindy's. Savage walked north on Broadway, while Riesel and Nevins proceeded to her car. A young man approached Riesel, attracted his attention and threw sulfuric acid in his face. He then escaped on foot.

(208) This vicious assault immediately became a cause célèbre. The District Attorney of New York County had additional members of the New York City Police Department assigned to his office so that he could handle the investigation directly. The Attorney General of the United States ordered the FBI to conduct an investigation which was given high priority. Federal jurisdiction was based on obstruc-

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*In 1958, Dioguardia had been convicted of labor extortion and income tax evasion for not having declared the proceeds of the extortion as earned income.

tion of justice, since Riesel was possibly to be asked to appear before a Federal grand jury investigating labor racketeering.

(209) The case was solved in a comparatively short time. In a matter of days, police and FBI agents had rounded up and interviewed some of the principals. This fact was unusual. Even more unusual were the participants and the statements they made to the FBI, especially their admissions of complicity.

(210) The cast of characters included:

—Abraham Telvi, a young man in his early 20's. Recruited to "beat up a guy who is bothering some fellow's wife," he was at the time a petty thief. Within days after the occurrence, Telvi had admitted his role to at least four friends and acquaintances.

—Joseph Carlino, alias Joe Pilo, age 43, unemployed. He recruited Telvi, whom he knew from "around the neighborhood," and introduced him to Dominick Bando, who had approached Carlino with the "contract" for Riesel, saying it was worth $500.

—Dominick Bando, age 47. He admitted obtaining the services of Telvi through Joseph Carlino and said he did so as a favor to Gondolfo "Shiekie" Miranti, a small-time local bookmaker who resided in the area and operated out of a neighborhood candy store. Bando claimed he received no money.

—Gondolfo "Shiekie" Miranti, age 37, a small-time bookmaker. He admitted that he had been approached by Charles Tuso, whom he knew "from the neighborhood," with a contract for $1,000. Miranti knew it was to be an acid job, but maintained he did not know who Victor Riesel was at the time. Tuso had a messenger deliver the jar of acid after Miranti reported that he had obtained a recruit. Miranti claimed that he met with Tuso, John Dioguardia, and Thomas Dioguardia at a local social club, where they made a first payment of $500.

—Charles Tuso was employed in the garment area and lived in the same neighborhood as the others. It is on the lower east side of Manhattan where the former Jewish ghetto abutted Little Italy. The Dioguardia family had once lived in this area, although John had moved to Point Lookout, Long Island, and Thomas to Scarsdale, Westchester County, both affluent suburbs.

(211) The events were reconstructed as follows: Tuso offered Miranti a "contract" for $1,000 to throw acid in Riesel's face. Miranti claimed he was given a down payment of $500 in the presence of Tuso and the Dioguardia brothers. Miranti mentioned the contract to Bando in terms of a $500 contract to "beat up a guy." There was no evidence that Bando received or expected to receive any money. Bando then recruited Telvi through Joseph Carlino.

(212) Investigators had obtained statements from two witnesses who were able to place Miranti in Hutton's Restaurant on two occasions before the attack. One witness identified Abe Telvi from a photograph as having been with Miranti on the premises the night of the attack. Apparently he was "fingering" (identifying) Riesel for Miranti.

(213) After the attack, while running away, Telvi was stopped by two police officers. Telvi said he was being chased by two Puerto Ricans with a knife who had tried to rob him. The police officers went in

search of the nonexistent robbers, and Telvi took a cab downtown to "the neighborhood," where he reported to Miranti.

(214) Telvi himself had been burned on the right side of his face and neck by some of the acid. It was decided that he should not get medical care. He went to a girlfriend's house where he stayed for one and a half weeks, during which time he received a payment of $500. He gave $180 to Joseph Carlino for "getting me the job." A few days later, Miranti gave him an additional $100 for the clothes damaged by the acid.

(215) Telvi said to his girlfriend and others that he had been told big people were behind the crime and that there were "millions of dollars" to back him up. He said to one acquaintance that he expected to be "put on a payroll for $200 per week for the rest of my life."

(216) As the investigation built up, Miranti gave Telvi an additional $500, and Carlino arranged for Telvi and his girlfriend to go to Youngstown, Ohio, to stay with a friend Carlino had made in Federal prison. Leo Telvi, Abe's brother, drove him, his girlfriend and Carlino to Ohio and returned with Carlino in early June.

(217) Telvi's stay in Youngstown was short, and the $500 did not last very long. (Youngstown had wide open, illegal casino gambling at that time.) He returned to New York City, broke up with his girlfriend, beating her badly in an argument, and indicated that he needed more money. Miranti paid another $500 and arranged for someone to drive him to Florida. Telvi had indicated to an associate that he suspected the driver to be an executioner. Telvi left the vehicle somewhere in New Jersey and returned home.

(218) On July 28, 1956, Telvi was murdered, the body abandoned close to New York City police headquarters.

(219) On August 17, Federal charges of obstruction of justice were brought against Gondolfo Miranti and Joseph Carlino. On August 28, Federal charges of obstruction of justice were also brought against John Dioguardia, Thomas Dioguardia, Charles Tuso, Charles Carlino and Dominick Bando. On December 6, Miranti and Bando were sentenced to 5 years in jail; Miranti was also fined $10,000. Both were sent to Atlanta.

(220) On December 21, in New York County Court, the State brought two counts of maiming and one of conspiracy against Gondolfo Miranti, Dominick Bando and Joseph Carlino.

(221) On January 21, 1957, Miranti pled guilty to the State charges. He was sentenced to 7½ to 15 years on each of the two counts of maiming (sentences to run concurrently), and one year for conspiracy, to run consecutively.

(222) On January 25, Bando interrupted the selection of jurors to plead guilty to two counts of assault, second degree. He got two 2½ to 5 year sentences, to run concurrently.

(223) In the opinion of Federal officers involved in the case, the conviction of the others (including one Theodore Rij, a close Dioguardia associate believed to have been involved) on the Federal charges would require some testimony from Miranti. When Miranti and Bando were brought before a Federal grand jury and directed to answer questions, they both refused. They were found guilty of

contempt and sentenced to 5 years—to run concurrently with the 5 they were then serving. The Federal case against the others was eventually dismissed on November 3, 1965.

(224) In several ways, this crime was an exceptional departure from the traditional standards governing organized crime's use of violence:

—It was an act of violence against representatives of the media, something that had not occurred since the murder of Jake Lingle, a Chicago newsman, in the 1930's. It was not to happen again until the bombing death of Don Bolles in Arizona in the mid-1970's.

—The contract was let to a person who was not a member of the criminal organization issuing it. The use of Telvi, an outsider of limited capability (he was believed to be a drug abuser), was deemed to have been a gross tactical error. Telvi's demise was presumed to have been handled by the middlemen who had recruited him in order to avoid the wrath of Dioguardia over their poor selection.

—None of the other participants were known to have been a member of Dioguardia's criminal organization.

—There is no evidence indicating that this act was considered or concurred in by higher ranking persons in organized crime than Dioguardia.

(2) *Joseph Colombo*

(225) On June 28, 1971, Joseph Colombo, leader of one of the New York La Cosa Nostra families, was addressing thousands of people at the second annual outdoor rally of the Italian-American Civil Rights League at Columbus Circle, New York City. Just over 1 year earlier, in response to the arrest of one of his sons by the FBI, Colombo had formed the league and picketed the FBI building in New York City. Media coverage had been extensive. He held the first outdoor rally shortly after that event, ostensibly as an attempt to obtain civil rights for Italian-Americans. On that occasion, Colombo had been joined on the speaker's platform by four Members of the U.S. House of Representatives. During the following year, the league had begun to charter chapters in other cities. A fundraising benefit headed by Frank Sinatra had helped to raise $500,000. Colombo appeared on network television programs to discuss his goals for the new organization and had negotiated with the producer of the film, "The Godfather," to remove the words "Mafia" and "La Cosa Nostra" from the script.

(226) Prior to the second annual rally, the press in New York City had reported that Joseph Gallo, a dissident member of Colombo's family, was opposed to the movement.

(227) On June 28, a young Black man, Jerome Johnson, carrying cameras and with some press identification, approached the speaker's stand and shot Colombo three times in the head. Colombo underwent emergency surgery, but remained in a coma and died 7 years later, in the spring of 1978.

(228) Jerome Johnson was immediately thrown to the ground by nearby police and wardens of the League. As the mass of bodies fell to the ground, there was further gunfire. When the various people became untangled, it was discovered that Jerome Johnson had been

shot to death. The two weapons involved in the two shootings were found lying on the ground.

(229) The investigation of both shootings was directed by Chief of Detectives Albert A. Seedman of the New York City Police Department, who concluded that Jerome Johnson had, in some way, been recruited for the assassination by Joseph Gallo. Several supporters of Colombo indicated they held the same belief, and about 1 year later Gallo himself was assassinated by Colombo loyalists.

(230) The murder of Jerome Johnson is still unsolved. The murder of Joseph Gallo is considered "solved," in that one participant, Joseph Luparelli, confessed his role and named others. He confirmed that the "contract" on Gallo was ordered because of his alleged involvement in the shooting of Colombo. Nevertheless, there was insufficient corroborative evidence for prosecution of the Gallo homicide.

(231) Johnson has been described as a nondescript "loner" who at various times in his criminal career was involved with narcotics, pornography, and prostitution. Gallo, while in prison, had become very friendly with Black criminals and maintained these friendships after his release. The strong indication is that Gallo would have been able to recruit Johnson through other Blacks serving as intermediaries.

(3) *Sol Landie*

(232) In the early 1970's, the Kansas City office of the FBI was conducting an investigation into the bookmaking operations of the La Cosa Nostra family in Kansas City, then run by Frank Tousa under the direction of Nick Civella, the family leader. Authorization had been received for a title III surveillance of a telephone located in the Colonial Park Social Club at 1048 East Fifth Street, Kansas City, for a 10-day period from January 8 through January 17, 1970. Conversations were picked up between two betting partners, Sol Landie and Alvin Hurst. Both were area businessmen. Landie was engaged in the salvage business in Kansas City, Kans.; Alvin Hurst was a well-known jeweler in Kansas City, Mo. Both had reputations of being big bettors, and Hurst was suspected of being a jewelry fence.

(233) On August 10, 1970, and August 11, 1970, respectively Hurst and Landie were both subpenaed to appear before a Federal grand jury investigating gambling operations in Kansas City. Both invoked the fifth amendment. On August 12, 1970, they were granted immunity, and they testified about their gambling and about bookmaker Tousa. That they had testified was given press and television coverage.

(234) On October 2, 1970, a four-count indictment for interstate gambling and conspiracy was returned against Nicholas Civella, Frank Tousa, Anthony Civella (a nephew of Nick's), and Martin Chess, a Las Vegas layoff bookmaker.

(235) The Kansas City Metropolitan Police Squad reported that in the early hours of the morning of November 22, 1970, four Black males entered the residence of Sol Landie at 7914 Washington Street, Kansas City, Mo. They came in through an open, back garage door and then broke into the house. Landie and his wife were threatened with death if they did not reveal the location of their valuables. The house was ransacked by the burglars in the search. At some point, Mrs. Landie was raped by two of the intruders. Sol Landie was shot to death through a pillow placed over his head.

(236) Information from informants led to the arrests, on November 24 and 25, of Earl Howard, age 25, Edward Williams, age 23, Marquise Williams, age 19, and Gary Johnson, age 16. Property identified as the Landies' was found in their possession. In addition, Gary Johnson's fingerprints were found in the Landies' house.
(237) On November 25, Johnson and the two Williams brothers admitted their guilt, indicating that the murder had been arranged by others. In a statement signed in the presence of others, Edward Williams said that Thomas Jefferson Lee, a Black male, and John Francoviglia had contracted for the murder, with Francoviglia promising a payment of $2,000*. In mid-November, 1970, Lee had contacted Edward Williams and taken him to the Refine Oil Company at 1001 Hardesty, Kansas City, Kans., where he "fingered" Sol Landie. Lee and Francoviglia had indicated that Landie had to be killed because he was a witness in a Federal gambling case.
(238) Williams' statement noted that Francoviglia had retained the four young men in the past to do several bombings. The modus operandi was for the young men to bomb some business establishment so that Francoviglia could afterwards approach the owners for a sum of money to prevent "the trouble" from happening again.
(239) Williams said that he indicated he was reluctant to commit the murder but was called several times on the phone by Francoviglia who pressured him. He was made to feel that his own life would be in danger if he did not comply.
(240) On November 21, 1970, the four men went to Landie's place of business to kill him, but did not do so. Francoviglia then suggested that Landie's residence would be an appropriate spot and gave them the address and the information that the back garage door was usually open.
(241) On November 23, 1970, the day following the murder, Williams went to see Francoviglia to collect the $2,000. Francoviglia told him that Lee had the money. Williams proceeded to see Lee, who gave him $1,000, to be shared by the four.
(242) Lee and Francoviglia were arrested November 26, 1970. A Jackson County grand jury returned first degree murder indictments against them on November 30, 1970. Included in the indictment were the two Williams brothers and Earl Howard.
(243) On November 27, 1970, in Kansas City, prosecutor Joseph Teasdale was quoted in the Kansas City Times as saying that the murder was arranged by the La Cosa Nostra family of Kansas City. Nick Civella was quoted as denying the charge.
(244) Ultimately, the two Williams brothers pled guilty and testified for the State. They received life sentences. Later they changed their testimony about Howard, who was then tried separately and acquitted. Gary Johnson was treated within the juvenile court system.
(245) Thomas Jefferson Lee and John Francoviglia were both convicted and are now serving life sentences in the Missouri State Prison.

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*The local police had known for some time that Lee and Francoviglia were associates. Francoviglia was also known to work in the illegal operations of Carl Civella, brother of Nick Civella.

(4) *Summary*

(246) The three cases have similarities:

—Each was solved in that the identity of the assassins became known.

—In all three, the criminals suffered consequences. In two, the assassin was assassinated. In the Landie case, they were convicted and imprisoned.

—In each case, it appears that the person who wanted the killing accomplished recruited the mercenaries through a middleman-broker. This is known in two of the cases and is the most reasonable conclusion in the Colombo shooting.

—In each case, the person known or suspected of inspiring the violence was a member of, or connected with, La Cosa Nostra.

—In all cases, the persons hired were not "professional" killers, but low-level felons outside of organized crime.

—In all cases, the killers can be considered dupes who were used in a conspiracy of which they were probably unaware.

—In all cases, the methodology used in the crime insulated and hid the organized crime connection, rather than giving a "message" that organized criminals were behind the action.

(247) The characteristics of these cases give some support to the theories that have been advanced concerning the assassination of President Kennedy. This is particularly true of the need to hide the identity of conspirators and to place the blame on a "dupe."

IV. CONCLUSION: LIKELIHOOD OF INVOLVEMENT BY LA COSA NOSTRA

(248) In 1963, organized crime obviously had a strong motive for bringing about some change at the national level. While the assassination of President Kennedy does not resemble traditional organized crime violence, the existence of exceptions to the traditional pattern of organized crime violence precludes foreclosing the possibility of its involvement.

(249) Assuming that organized crime might have been involved, two issues that needed to be addressed were:

—Was there any evidence that La Cosa Nostra, through its governing body, the national commission, had any involvement in the death of the President?

—Did one or more of its members have any involvement in the death of the President?

(250) The intelligence gathered in the 1960's by the FBI and other law enforcement agencies concerning the national commission of La Cosa Nostra was sufficient to provide a complete picture of the concern of its members and to show whether it would have undertaken such a crime. That evidence is as follows.

A. The national commission

(251) The members of the commission were having their problems at the time of the assassination:

(1) *Carlo Gambino*

(252) In 1963, Gambino had been the leader of a La Cosa Nostra family for just over 5 years, having attained this position after the

assassination of Albert Anastasia. He was not comfortable in the position. Acceptance of his leadership was not unanimous, and he had had to have Anastasia loyalists eliminated, for example, Armand "Tommy" Rava (murdered in Florida) and Johnny "Roberts" Robilotto (killed in Brooklyn).

(253) Further, the Anastasia homicide was still under active investigation. The suspects were the Gallo Brothers of Brooklyn and their associates. At the time, they were outside the realm of La Cosa Nostra discipline, having started the insurrection noted earlier, the so-called Gallo-Profaci war. How the actions of these undisciplined people might affect his own status was something to which Gambino had to give due consideration.

(254) In addition, Gambino's family was under intense pressure from the FBI as a result of the attack on FBI agents at Lombardozzi's funeral. Gambino and others had become gravely concerned about the penetration of their organization and its secrets. Some believed the organization was riddled with informants who had to be discovered and eradicated. One "member," Alfred Sanantonio, was, for example, discovered to be an informant and was murdered in July.

(255) Finally, Gambino had been informed by Joseph Colombo that Giuseppe Magliocco and Joseph Bonanno were engaged in a cabal to assassinate him and his close associate, Thomas Lucchese, in an attempt to expand their own power. Gambino and Lucchese were close: they had children who were married to one another. With Vito Genovese in prison, if this plan had been successful, Bonanno and Magliocco might have been able to dominate that family, as well as those two whose leaders were to be assassinated, thus controlling the New York bloc of five families. Gambino vigorously protested the plan to the national commission.

(2) *Thomas Lucchese*

(256) Lucchese had the same problem as Gambino—he was a target for murder. He, too, was disturbed about the break in the solidarity of the five families in New York. In the past, the five together dominated the La Cosa Nostra throughout the United States because they were the strongest bloc, and often the majority of the commission.

(3) *Vito Genovese*

(257) During 1963, Genovese was serving the third year of a 15-year Federal sentence for narcotics violations. He was, for this and other reasons, an insecure La Cosa Nostra leader. He had, however, experienced others moving ahead of him before, on other occasions when he had had to be "away." In 1937, while in charge of the family whose leader Lucky Luciano had been sent to prison, Genovese himself had to flee to Italy to avoid prosecution for murder. By the time he returned in 1945 (following World War II), he found that Frank Costello, formerly an underling, was ensconced as leader.

(258) Genovese had tried to avenge himself in 1957 by having Costello murdered. Though Costello was only wounded slightly, he did retire early, and Genovese assumed command.

(259) Genovese soon faced new difficulties. In October 1957, he had requested a commission meeting to gain endorsement of his takeover.

Chairman Stefano Magaddino of Buffalo selected the estate of Joseph Barbera at Apalachin, N.Y. The site was discovered by the New York State Police, a serious blow to La Cosa Nostra.

(260) As family leader, Genovese became a principal target of law enforcement activity. After 2 years, he was indicted for a narcotics conspiracy, convicted, and sent to prison. In order not to be victimized again with respect to the family's leadership, he created a troika to run the family in his absence—Gerardo Catena, the family underboss; Michele Miranda, the consigliere; and Tommy Eboli, a trusted capo for whom Genovese created the hitherto unknown designation of "acting boss."

(261) Even these precautions were insufficient. While in prison, Genovese became suspicious of the activities of another close lieutenant, Anthony Strollo (Tony Bender). Strollo was known to have encouraged the Gallo brothers in their rebellion, and Genovese suspected he would attempt to take over their family. In the autumn of 1962, Strollo "disappeared," complete with Cadillac; neither was ever seen again.

(262) In the autumn of 1963, Genovese's stock as a crime boss dropped to an all-time low. Valachi was telling all he knew about Genovese, the La Cosa Nostra and other organized crime matters, not only to the FBI, but in front of network television cameras in congressional hearings. Genovese had sponsored Valachi's transfer into his family and the two had been close; Genovese had been Valachi's best man at his wedding. Further, Genovese had ordered Valachi murdered in the Atlanta prison for being an informant, but he had been unable to have the execution performed.

(4) *Giuseppe Profaci and Giuseppe Magliocco*

(263) Profaci was a long-time member of the commission. His failure to adjust to the times and offer greater incentives and rewards to the young men doing most of his dirty work had led to the outbreak of the Gallo-Profaci gang war. Profaci had not only been unable to avoid the war, but to bring it to an end. The matter was troublesome for the other families, who were concerned over the national media coverage. The commission had ordered the other families not to get involved, lest the intrafamily dispute escalate further.

(264) In late 1962, Profaci died of natural causes. At that time, his underboss and brother-in-law, Giuseppe Magliocco, had turned to an old friend, Joseph Bonanno, for help in gaining recognition as Profaci's successor (Bonanno's son was married to Profaci's daughter, who was also Magliocco's niece). Bonanno evidently convinced Magliocco that the best way to get commission support would be to eliminate family leaders Carlo Gambino and Thomas Lucchese and replace them with others more friendly to his and Bonanno's ambitions. Magliocco gave the "contract" to one of his capos, Joseph Colombo. Colombo squealed to the intended victims, who complained to the commission. (Colombo was rewarded, following the displacement of Magliocco, by being given leadership of the family.)

(265) Stefano Magaddino, as chairman of the commission, investigated the complaint, and Magliocco confessed the plot. Magaddino then told him he was not a boss, never having been confirmed by the

commission, and that because of the plot, he was to be cast out of the family. In addition, he was "fined" $43,000 to cover the "expense" of trying to settle the dispute. Magliocco, happy for his life, paid the sum in four installments. He died in 1963 of natural causes.

(5) *Joseph Bonanno*

(266) Bonanno had more seniority as a La Cosa Nostra boss than any member of the commission save Joseph Zerilli in Detroit. He could easily have considered the others as upstarts. He lived in Tucson, where he had moved immediately after World War II. There he kept a low profile, and by 1953, when the U.S. Government brought deportation proceedings against him, Bonanno was able to get personal testimony or affidavits on his behalf from many prominent persons in Arizona, including a bishop of the Roman Catholic Church, a Member of the U.S. House of Representatives (who later ran for Governor of the State), and a member of the State supreme court.

(267) Bonanno was an ambitious man. In addition to control of a New York La Cosa Nostra family, he had a regime from his family operating in Montreal and Quebec, Canada. He had extensive business enterprises, including large holdings in cheese companies in Canada and Wisconsin. He was very much aware of the tremendous wealth emerging in California and the failure of the Los Angeles Cosa Nostra family to exploit it. Thus, he plotted to take over the jurisdiction. His plan was to depose Frank DeSimone, the southern California leader, and replace him with Salvatore (Bill) Bonanno, his son, and 40 handpicked men who could provide better leadership. As a member of the commission, Bonanno already had oversight jurisdiction over the two northern California families—in San Francisco and San José.

(268) Bonanno's goal was to become the principal La Cosa Nostra leader in the United States. By eliminating Gambino and Lucchese, and with Magliocco's support, he could dominate the New York families. With his sons in power in southern California and the support of the northern California families, with whom he had good rapport, he believed his goal could be reached.

(269) His plans were ruined by the treachery of Joseph Colombo and antagonism of Stefano Magaddino. By late 1963, Bonanno was in serious trouble, exacerbated by his refusal to appear before the commission as ordered. This led Giancana to suggest, "Don't send him another message, kill him!" By December 1963, Bonanno had to announce to his capos that he would be leaving for quite some time. He turned the leadership of the family over to his brother-in-law and his son.

(6) *Sam Giancana*

(270) Giancana's position as a leader was also getting shaky. During 1963, he was reacting, sometimes emotionally, to the intense FBI coverage to which he was subject. In midyear, he went to Federal court (an unprecedented act) to seek an injunction against the close surveillance, but lost on appeal. Anthony Tisci, his son-in-law, was in daily attendance during the trial, trying to help Giancana. This raised questions about a possible conflict of interest, since Tisci was at the time on the payroll of Roland Libonati, a congressional representative from Chicago to the House, and the media played up the story.

(271) Shortly thereafter, Giancana made national headlines again when he and Phyllis McGuire, a frequent companion, were guests at the Cal-Neva Lodge at Lake Tahoe, which was partially owned by Frank Sinatra, and then at the entertainer's Palm Springs, Calif., home. The Nevada Gaming Commission demanded that Sinatra break off this friendship. Sinatra responded that he would sell his interests in Cal-Neva and the Sands Hotel in Las Vegas. This national attention and Giancana's prolonged absences from Chicago led his colleagues to suggest that someone else lead the family, at least during his time away.
(272) Giancana was also greatly concerned that he would be brought before the McClellan committee.

(7) *Angelo Bruno*

(273) In 1963, Bruno, the La Cosa Nostra leader in Philadelphia, was preparing to follow his predecessor, Joseph Ida, to Italy. Ida had gone there to live following the discovery of the Apalachin meeting.
(274) The gains being made by law enforcement agencies, the public disclosures of La Cosa Nostra and the growing pressure had led Bruno to consider this option. He actually made a trip to Italy to explore the prospect. He recommended this course of action for a close associate, Gerardo Catena (one of the Genovese troika), who agreed that it might be a wise course to follow.
(275) A close friend described Bruno as "being crucified" by the Federal Government as he awaited an indictment for internal revenue violations.

(8) *Joseph Zerilli*

(276) The other senior member of the commission—he, along with Bonanno, had been on since its inception—Zerilli had several problems to contend with. He was the mob's comptroller of the Central States Pension and Welfare Fund of the International Brotherhood of Teamsters. Organized crime's path to this wealth was tied to the career of James Hoffa, whose rise from a Detroit local to a position of eminence could not have been possible without support from Zerilli. The fund and much else was in some jeopardy with Hoffa facing two Federal trials.
(277) Additionally, things were not as pleasant in Detroit in 1963 as they had been in the past. The head of the police department was George Edwards, a different kind of administrator. Edwards testified during the Valachi hearings that he had taken a member of the U.S. Supreme Court on a tour of the Detroit numbers banks, pointing out the security systems which made its penetration by policemen so difficult. He believed that the judges who controlled the issuance of search warrants and other legal processes needed a better understanding of the situation.
(278) Further, raids by Edwards' police department had forced Zerilli to close down entirely the numbers operations under his control in the Detroit area and in northern Ohio. They were to remain closed until a reorganization took place that included even greater security precautions. The one ray of hope was that Edwards had been nominated to the Federal bench. Confirmation would remove him from the scene.

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(9) *Raymond Patriarca*

(279) Patriarca found it necessary to become involved in the attempts to settle the Gallo-Profaci war. Nick Bianco, a member of the Gallo group, had requested his intercession. Bianco came from Providence, R.I., and had made "hits" for Raymond. To assist the process, the commission authorized Raymond to "make" Bianco a "member."

(280) A second problem was the amount of publicity coming out of Boston, which was within Patriarca's sphere of influence. A gang war was raging between two predominantly Irish groups. The total homicides eventually reached over 50. Patriarca became angry enough to say, "If they don't stop that shooting up there, I am going to declare martial law!" He, too, had his hands full.

B. Other major leaders and problems

(281) Other La Cosa Nostra leaders were also experiencing difficulties. In 1961, Carlos Marcello, the New Orleans leader, had been deported by the Immigration and Naturalization Service. He had returned and was acquitted on Federal charges in a Washington, D.C., trial in late 1962, but in November 1963 he was on trial again, this time in New Orleans.

(282) Nick Civella of Kansas City had been convicted of income tax evasion. Frank Balistrieri of Milwaukee was faced with dissension within his family.

(283) Santos Trafficante's gambling operations in Florida were in trouble; Frank DeSimone in Los Angeles was unhappy about Joe Bonanno's plan to depose him.

(284) The FBI's electronic surveillance had been discovered in Las Vegas; FBI installations were interrupted in California and Florida.

(285) Defensive "sweeps" were being conducted in many places because of suspicions that the La Cosa Nostra had been "wired for sound." There was also Joseph Valachi's testimony, which Robert Kennedy described as the "greatest intelligence breakthrough in the history of organized crime in the United States. La Cosa Nostra was aware of other "live informants." Further, there is evidence that the more discerning among the leaders feared that the congressional hearings would help build support for certain legislation the Attorney General had recommended that was anathema to organized crime: authorized electronic surveillance and immunity statutes.

C. Summary

(286) In November 1963, the national commission and a number of major leaders were clearly threatened by dissension, enmity and treachery and the strongest effort as yet mounted against organized crime.

(287) La Cosa Nostra had a strong motive for taking drastic action. Yet it is extremely unlikely that it would have considered such a major and dangerous act as assassinating the President, or, if it had, it would not have come to light. Thus there is a strange dichotomy. It also appears that most of the leaders were too preoccupied with personal problems to undertake such a venture on their own. Nor does the information developed by law enforcement agencies reveal any indication that any were planning or involved in such an endeavor.

An open question

(288) The question is still open, however, with respect to two individuals. Unfortunately, there is a substantial disparity in the quantity and quality of the FBI and other law enforcement intelligence efforts for Carlos Marcello of New Orleans and Santos Trafficante of Florida. Neither was subject to a direct electronic surveillance by the FBI in the time period of this study* (January 1963 through June 1964).

(289) That criminal intelligence regarding La Cosa Nostra was not being uniformly supplied by each field office is a recurrent theme in the FBI La Cosa Nostra file. In the material submitted for the semiannual summary prepared at the beginning of 1963, the New Orleans office, for example, had listed only one member of La Cosa Nostra, Carlos Marcello.

(290) On February 15, 1963, the Director indicated disappointment in a memorandum which called for a "special effort" by the New Orleans office. In the latter part of 1963, Director Hoover ordered the compilation of reports on La Cosa Nostra from the major offices; these were to reach the Bureau and the New York City office (where the semiannual summary was prepared) by December 15, 1963. The memorandum reads in part:

> Some cities have blind spots about La Cosa Nostra.
>
> It is well to note that we have experienced situations in which certain offices took the position that La Cosa Nostra did not exist in their respective territories, only to learn at a later date that this organization, with its typical family structure, is in fact in existence in the area and has been for many years.

(291) Later, when the case agent assigned the investigation of Carlos Marcello was changed, the number of sources noted in his file expanded rapidly. This escalation can be explained at least by more aggressive action by the investigator.

(292) That the results of efforts against Carlos Marcello and Santos Trafficante were less than those experienced against other targets was confirmed to the committee by a former official of the FBI. The official, who was second in command of day-to-day intelligence operations related to organized crime, stated, in an interview with the committee, with reference to Santos Trafficante in 1963:

> I do feel that we were never really able to penetrate on him very clearly. Certainly nothing like we were able to do in Chicago and New York.

With reference to Carlos Marcello, he said:

> I certainly agree with anyone who says we never were really able to get very far with Marcello. That was our biggest gap. You just couldn't penetrate his kingdom, with the control in that State that he has. With Marcello, you've got the one big exception in our work back then. There was just no way of penetrating that area. He was too smart.

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*Material reviewed indicates two unsuccessful attempts to install equipment in the case of Carlos Marcello.

(293) Dallas was another area in which the FBI was far less active against La Cosa Nostra. Although Joseph Francis Civello, a "counselor to the Italian community at large" according to the FBI, attended the Apalachin meeting in 1957, the Crime Condition Report filed by the Dallas field office for the period ending February 26, 1962, stated, "There is no evidence of illegal activity by Joseph Francis Civello." This same report concluded that "Texas is not a place where the Mafia has the kind of control it has elsewhere." Dallas also did not have in operation any electronic surveillance in 1963.
(294) Organized crime intelligence relative to Carlos Marcello and Santos Trafficante as well as the Dallas area was, therefore, insufficient to indicate whether they, or others in Dallas, may have been involved in a conspiracy to assassinate John F. Kennedy.
(295) It is evident the Kennedy administration launched the strongest Federal effort ever against organized crime. Leaders and members of La Cosa Nostra were clearly concerned by it and blamed the President to some extent, but most definitely his brother, Atty. Gen. Robert F. Kennedy. It was also clear that organized crime would have benefitted from the assassination of John F. Kennedy and the changes it would bring in Government policy and officials. Nevertheless, it is extremely unlikely that the national commission of La Cosa Nostra was involved in any plan to kill the President. It was facing strong internal dissension and other problems and does not appear to have been in a position to undertake such a major act.
(296) A review of the history of La Cosa Nostra in the United States reveals, moreover, no precedent for the assassination of a President. In fact, he is among several categories of people against whom organized crime traditionally has not committed acts of violence. Nor does the method of the assassination conform to the traditional pattern of organized crime murders—it involved people who were not members of La Cosa Nostra, one of whom was unstable, it does not seem to have had any authorization from any leader, it was conducted without the usual precautions that protect the assassin from being apprehended, and the murder weapon was atypical. Nevertheless, there have been exceptions to the traditional pattern and the Kennedy assassination has parallels to these exceptions. Thus involvement by individual members organized crime cannot be precluded.

Submitted by:

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